

MARICOPA COUNTY BOARD OF SUPERVISORS MINUTE BOOK

FORMAL SESSION
June 26, 2002

The Board of Supervisors of Maricopa County, Arizona convened at 9:00 a.m., June 26, 2002, in the Board of Supervisors' Auditorium, 205 W. Jefferson, Phoenix, Arizona, with the following members present: Don Stapley, Chairman; Fulton Brock, Vice Chairman; Andy Kunasek, Max W. Wilson, and Mary Rose Wilcox. Also present: Fran McCarroll, Clerk of the Board; Shirley Million, Administrative Coordinator; David Smith, County Administrative Officer; and Paul Golab, Deputy County Attorney. Votes of the Members will be recorded as follows: (aye-no-absent-abstain).

INVOCATION

Darren Gerard, Planning and Zoning Department, delivered the invocation.

PLEDGE OF ALLEGIANCE TO THE FLAG

Joy Rich, Director of Planning and Development, led the assemblage in the Pledge of Allegiance.

The Board may vote to recess into an executive session for the purpose of obtaining legal advice from the Board's attorney on any matter listed on the agenda pursuant to A.R.S. §38-431.03(A)(3).

POINT OF PERSONAL PRIVILEGE

Chairman Stapley said that Jim Braley, Cambio Health Solutions, asked to address the Board.

Mr. Braley spoke of his company's six-year interaction with Maricopa Integrated Health Systems (MIHS) which is now coming to an end, and he said he wanted to thank each of the Supervisors who had served on the Board for their support during that period. He indicated that when his company had first become involved, the healthcare system was in dire straits and through a combination of efforts from everyone involved their attempts to move the system forward had produced positive results. He said that healthcare nationwide still has considerable problems to work through but he felt that Maricopa County was in reasonably good shape in comparison to most parts of the country. He mentioned that in L.A. County "they are very close to a melt-down situation. In order to survive, they will have to have a major bail-out from the federal government, just as they did two years ago." He also mentioned the bellwether county hospital in the U.S., Parkland Memorial in Dallas, Texas, and said, "they continue to do well but they have close to \$2 million in subsidies from taxpayers to help them operate. Your system continues to do well without substantial tax subsidies from taxpayers." He urged, "Continue to support the system the way you have supported it. Don't be afraid to make the difficult decisions that will have to be made going forward to keep it going." He expressed his support for the County's decision to keep the MIHS management team intact and in control. He believes they will continue to do an outstanding job.

Supervisor Wilcox reminisced about the time when Mr. Braley first became involved with the hospital's management during the period when Chairman Stapley served his first term as chairman. She said they had made a decision that was very frightening at the time and very different from the way public hospitals operate, but it turned out to have been a good decision that did save the healthcare system. She and Chairman Stapley thanked Mr. Braley for his years of involvement.

POINT OF PERSONAL PRIVILEGE

Chairman Stapley took another Point of Privilege to say he had attended a meeting yesterday for the National Conference of State FloodPlain Associations, of which Maricopa County's Flood Control District is a member. He said he had accepted a plaque from FEMA (Federal Emergency Management & Assistance) for Maricopa County citing it as one of only 16 communities in the country given the highest

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rating by FEMA's flood insurance program's rating system for diversionary and anticipatory programs in the flood control projects that go far beyond the minimal scope for the protection of citizens. This high rating will lower flood insurance premiums for Maricopa County taxpayers by 25%. Chairman Stapley lauded Director Mike Ellegood and his planners for their foresight and astute decisions which led to this high rating for the Flood Control District and the County.

PRESENTATION TO NORM HINTZ

Presentation to Norm Hintz, Director, Facilities Management, on his retirement and in recognition of his leadership and accomplishments for the County. (ADM650)

David Smith, County Administrative Officer, said that four years ago Norm Hintz had been hired as the County's new director of Facilities Management and there were many things, seen and unseen, in the courts and county buildings, centrally and in the east and west valley locations, that he has brought to fruition since that time. Mr. Smith and Chairman Stapley presented Mr. Hintz with a plaque lauding his accomplishments.

Mr. Hintz said that he accepted in behalf of the 229 people in Facilities Management who had made him look so good for the past four years.

PRESENTATION TO IRMA FLORES MORENO

Presentation by Supervisor Wilcox to Irma Flores Moreno of Community Development, for 27 years of service to Maricopa County. (ADM650)

Supervisor Wilcox said that Ms. Moreno had taught English to those in the job-training program over many years and went on to serve on the community development projects staff. She and Chairman Stapley presented Ms. Moreno with a plaque and thanked her for her many years of service to the County.

PRESENTATION OF "2002 STATE OF ARIZONA EQUIPMENT ROADEO CHAMPIONSHIP AWARDS"

Presentation of the 2002 Arizona Partnering Safety Equipment Rodeo awards to five Maricopa County employees. (ADM650)

Bill Warren said that the County has been working with the State of Arizona for the past five years to sponsor this annual State of Arizona Construction Equipment Competition ROADEO, which measure skills, professionalism, effectiveness, experience level and knowledge of safety requirements having to do with heavy equipment operation. He said that there were more than 400 participants who competed statewide from municipal, county and state governments. In the ROADEO held this year, five Maricopa County entrants placed either first, second or third in the various competitions. They were honored for their achievements with plaques presented by Bill Warren and Tom Carroll as follows:

FORKLIFT COMPETITION

First Place: Manny Bustamante - MCDOT
Second Place: Andy Gomez - MCDOT
Third Place: John Armstrong - MCDOT

BACKHOE COMPETITION

Second Place: Stanley Marble - MCDOT

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Third Place: Greg Watts - Flood Control District

**~ Chairman Stapley passed the gavel to Vice Chairman Brock
as he and Supervisor Wilcox were called from the meeting by Governor Hull
to attend a press conference on the Genomic Consortium Project ~**

PUBLIC HEARING - VEHICLE IDLING RESTRICTION ORDINANCE P-21

No protests having been received and no speakers coming forth at the Chairman's call and as required by Arizona Revised Statutes §11-251.05(c), motion was made by Supervisor Kunasek, seconded by Supervisor Wilson, and unanimously carried (3-0-2) to adopt a proposed new County ordinance, Vehicle Idling Restriction Ordinance (P-21). Maricopa County will implement the Vehicle Idling Restriction Ordinance as recommended at Governor Hull's Brown Cloud Summit where it was modeled after similar ordinances in place in Texas and New York. House Bill 2538 was passed requiring the development, implementation and enforcement of a Vehicle Idling Ordinance for heavy-duty diesel engines. Arizona Revised Statutes §11-876 requires the Ordinance to be in place by July 1, 2002. The funding to support this ordinance will come from a \$100,000 grant from the Arizona Department of Environmental Quality. This grant was approved with agenda C88020282 on February 6, 2002. (C88020557) (ADM149)

**MARICOPA COUNTY
VEHICLE IDLING RESTRICTION ORDINANCE**

SECTION 1 - GENERAL

- A. PURPOSE:** The Vehicle Idling Restriction Ordinance restricts, from idling for more than five (5) consecutive minutes, any device or combination of devices that meets all of the following criteria:
1. designed with a gross vehicle weight rating of more than 14,000 pounds; and
 2. required under Arizona law (Arizona Revised Statute [ARS] Title 28 Chapters 7 and 9) to be registered; and
 3. designed to operate on public highways; and
 4. powered by a diesel engine.
- B. APPLICABILITY:** This Vehicle Idling Restriction Ordinance applies to vehicle idling within Maricopa County.

SECTION 2 - DEFINITIONS: For the purpose of this ordinance, the following definitions shall apply:

- A. COMBINATION OF DEVICES –** The coupling of two or more pieces of equipment that consist of the device which contains the diesel engine and an attached piece of equipment, which includes but is not limited to a trailer, cement mixer, refrigeration unit or automobile.
- B. DISTRIBUTION CENTER –** A place with multiple bays where vehicles load or unload materials.

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- C. **GROSS VEHICLE WEIGHT RATING** – The maximum vehicle weight for which the vehicle is designed as established by the manufacturer.¹
- D. **IDLING** – The operation of a diesel engine when the engine is not engaged in gear.²
- E. **POWER TAKE OFF (PTO) MECHANISM** – A unit that provides power from the engine to a trailer or other equipment.
- F. **PRIMARY PROPULSION ENGINE** – Any engine for which the primary function is to provide mechanical power to propel or direct a vehicle, regardless of whether that power is applied directly to the propeller shaft or indirectly by way of an electrical system.
- G. **TRUCK STOP** – A place of business that provides services to drivers and their vehicles in which the service time may exceed one (1) hour.
- H. **VEHICLE** – Any device or combination of devices with a gross vehicle weight rating of more than 14,000 pounds, required under Arizona law (ARS Title 28 Chapters 7 and 9) to be registered, designed to operate on public highways and powered by a diesel engine.³

1 Mirrors the definition in R18-2-1001.36.

2 Federal definition: "Curb-idle" means: (1) For manual transmission code light-duty trucks, the engine speed with the transmission in neutral or with the clutch disengaged. For automatic transmission code light-duty trucks, curb-idle means the engine speed with the automatic transmission in the Park position (or Neutral position if there is no Park position); (2) For manual transmission code heavy-duty engines, the manufacturer's recommended engine speed with the clutch disengaged. For automatic transmission code heavy-duty engines, curb idle means the manufacturer's recommended engine speed with the automatic transmission in gear and the output shaft stalled.

3 Note: AAC R18-2-101(69): "motor vehicle" means any self-propelled vehicle designed or transporting persons or property on public highways;

ARS 44-1301: "motor vehicle" means any automobile, motorcycle, truck, trailer, semitrailer, truck tractor and semitrailer combination or other vehicle operated on the roads of this state, used to transport person or property and propelled by power other than muscular power, but motor vehicle does not include traction engines, vehicles that run only on a track, bicycles or mopeds;

ARS 49-541(16): "Vehicle" means any automobile, truck, truck tractor, motor bus or self-propelled or motor-driven vehicle registered or to be registered in this state and used upon the public highways of this state for the purpose of transporting persons or property, except implements of husbandry, road rollers or road machinery temporarily operated upon the highway.

ARS 49-581: "Motor vehicle" means any self-propelled vehicle including a car, van, bus or motorcycle and all other motorized vehicles;

ARS 28-101(29): "Motor vehicle": (a) means either: (i) A self-propelled vehicle; (ii) For the purposes of the laws relating to the imposition of a tax on motor vehicle fuel, a vehicle that is operated on the highways of this state and that is propelled by the use of motor vehicle fuel. (b) Does not include a

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SECTION 3 – REQUIREMENTS

- A. **ORDINANCE** – No owner or operator of a vehicle shall permit the engine of such vehicle to idle for more than five (5) consecutive minutes except as provided in Section 4 (Exemptions) of this ordinance.
- B. **VIOLATION** – Any owner or operator who violates this ordinance is subject to a civil penalty of \$100 for the first violation and \$300 for a second or any subsequent violation.⁴
- C. **SIGN** – Each truck stop owner or operator and distribution center owner or operator shall erect and maintain a permanent sign(s) that is at least 12 inches by 18 inches in size indicating that the maximum idle time allowed in Maricopa County is 5 minutes. The sign(s) shall be posted in a conspicuous location, near the dispatcher, if applicable. In addition to the above, the sign shall at a minimum contain language outlining the following:
 - 1. The County's vehicle idling information line, and
 - 2. The amount of money the violator will be fined.

motorized wheelchair or a motorized skateboard. For the purposes of this subdivision: (i) "motorized wheelchair" means a self-propelled wheelchair that is used by a person for mobility. (ii) "motorized skateboard" means a self-propelled device that has a motor, a deck on which a person may ride and at least two tandem wheel in contact with the ground.

ARS 28-101(50): "Truck" means a motor vehicle designed or used primarily for the carrying of property other than the effects of the driver or passengers and includes a motor vehicle to which has been added a box, a platform or other equipment for such carrying.

ARS 28-101 (51): "Truck tractor" means a motor vehicle that is designed and used primarily for drawing other vehicles and that is not constructed to carry a load other than a part of the weight of the vehicle and load drawn.

ARS 28-101 (52): "Vehicle" means a device in, on or by which a person or property is or may be transported or drawn on a public highway, excluding devices moved by human power or used exclusively on stationary rails or tracks.

ARS 28-101 (53): "Vehicle transporter" means either: (a) A truck tractor capable of carrying a load and drawing a semitrailer; (b) A truck tractor with a stinger-steered fifth wheel capable of carrying a load and drawing a semitrailer or a truck tractor with a dolly mounted fifth wheel that is securely fastened to the truck tractor at two or more points and that is capable of carrying a load and drawing a semitrailer.

R17-4-435: "Motor carrier" as defined in ARS § 28-5201 except a motor carrier transporting passengers for hire in a vehicle with a design capacity of 6 or fewer persons.

ARS 28-5201: "Motor vehicle" means a self-propelled motor driven vehicle or vehicle combination, except a lightweight motor vehicle, that is used on a public highway in the furtherance of a commercial enterprise.

In research done by ADEQ, no definitions exist for "heavy duty motor vehicle," or "heavy duty diesel engine."

4 Attorney General's Office (AGO) interpretation is that ARS Title 28 allows any law enforcement officer to enforce ARS 11-876, which authorized this ordinance, on private and/or public property.

SECTION 4 – EXEMPTIONS: This ordinance shall not apply when:

- A.** A vehicle is forced to remain motionless because of traffic or adverse weather conditions affecting the safe operation of the vehicle.
- B.** A vehicle is being operated for emergency or law enforcement purposes.
- B.** The primary propulsion engine of a vehicle meets all of the following criteria:
 - 1.** is providing a power source necessary for mechanical operations other than propulsion; and
 - 2.** involves a power take off (PTO) mechanism, or other mechanical device performing the same function as a PTO; and
 - 3.** is powered by the engine for:
 - a.** loading and unloading cargo, or
 - b.** mixing or processing cargo, or
 - c.** controlling cargo temperature, or
 - d.** providing a mechanical extension to perform work functions.
- D.** The primary propulsion engine of a vehicle is being operated at idle to conform to manufacturer's warm up and cool down specifications, for maintenance or diagnostic purposes, or by manufacturers engaging the engines in testing for research and development.
- E.** The primary propulsion engine of a vehicle is being operated to supply heat or air conditioning necessary for passenger comfort/safety in those vehicles operating for commercial passenger transportation or school purposes up to a maximum of 30 minutes/hour. If ambient temperatures exceed 75 degrees Fahrenheit, passenger buses are allowed to idle up to a maximum of 60 minutes in any 90-minute time period.
- F.** The primary propulsion engine of a vehicle is being operated to comply with the U.S. Code of Federal Regulation 49 CFR Part 395 and the Arizona Department Of Transportation (DOT) regulation R17-5-202 referencing hours of service restrictions.

FIREWORKS DISPLAY APPLICATION

No protests having been received and no speakers coming forth at the Chairman's call, pursuant to A.R.S. §36-1603, motion was made by Supervisor Wilson, seconded by Supervisor Kunasek, and unanimously carried (3-0-2) to approve an application filed by Bob Hathaway for a Fireworks Display Permit: (ADM66530)

Organization: Tonopah Valley Community Council
Location: Ruth Fischer Elementary School

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Date: 38201 West Indian School Road
July 4, 2002

ARIZONA-AMERICAN WATER COMPANY, PUBLIC UTILITY FRANCHISE

This was the time scheduled for hearing on the application filed by Arizona-American Water Company, for a public utility franchise to construct, maintain and operate wastewater collection, treatment, and disposal utility systems consisting of all lines, connections, manholes and necessary facilities and equipment., for a period of 25 years or for a period of one year after the franchised area or a portion thereof is annexed by a municipality, whichever is shorter, for the transmission and delivery of water for domestic use along, upon, under and across public highways, roads, alleys and thoroughfares (excepting State highways) within that portion of Maricopa County, Arizona, known and described as follows, to-wit: (F23015)

A portion of the east half of Section 15, Township 2 North, Range 2 West of the Gila and Salt River Base and Meridian, in Maricopa County, Arizona, described as follows:

Beginning at the Northeast corner of said Section 15, being the True Point of Beginning, thence South 00°05'58" West a distance of 2641.35 feet to the east quarter corner of said Section 15. Continuing South 00°06'14" West a distance of 1981.15 feet; thence South 89°58'17" West a distance of 1316.21 feet; thence South 00°08'04" West a distance of 660.11 feet; thence South 89°59'00" West a distance of 1316.55 feet to the South quarter corner of said Section 15. Thence leaving the South quarter corner of said Section 15 North 00°09'53" East a distance of 2639.38 feet to the center quarter corner of said Section 15. Continuing North 00°09'57" East a distance of 2639.42 feet to the north quarter corner of said Section 15. Leaving the north quarter corner of said Section 15 heading North 89°53'38" East a distance of 2627.29 feet returning to the northeast corner of said Section 15 and the True Point of Beginning.

Above described parcel contains 298.91 acres more or less.

No protests having been received and no speakers coming forth at the Chairman's call, motion was made by Supervisor Wilson, seconded by Supervisor Kunasek, and unanimously carried (3-0-2) to grant the said franchise as applied for and to impose such restrictions and limitations upon said applicant as to the use of such public highways, roads, alleys and thoroughfares as may be deemed best for the public safety and welfare and to include in such franchise the statutory provisions set forth in Title 40, Chapter 2, Article 4, A.R.S., 1956, requiring the grantee of said franchise to pay such expenses, damages and compensations, if any, as may result from the use and operation of said franchise and as in said statute specified.

PUBLIC HEARING - MARICOPA HEALTH SYSTEMS

No protests having been received and no speakers coming forth at the Chairman's call, motion was made by Supervisor Wilson, seconded by Supervisor Kunasek, and unanimously carried (3-0-2) to approve a 9.44% overall rate increase for the Maricopa Health Delivery System and an additional rate increase for specific charges in the Maricopa Medical Center's Emergency Department, to be effective July 1, 2002, and forward such rate increases to the Director of the Arizona Department of Health Services for their findings, pursuant to Title 36, Chapter 4, Article 3, (Review of Rates), Arizona Revised Statutes, and Arizona Administrative Code § R9-11-104 and R9-11-105. The rate increase will result in a net revenue increase of \$3,590,000. The Maricopa Hospital and Health Systems Board approved these increases on May 8, 2002. (C90021149) (ADM2204)

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PUBLIC HEARING - ORGANIZATION OF SONORA VISTA APARTMENTS STREET LIGHTING IMPROVEMENT DISTRICT

No protests having been received and no speakers coming forth at the Chairman's call, motion was made by Supervisor Kunasek, seconded by Supervisor Wilson, and unanimously carried (3-0-2) to organize the Sonora Vista Apartments Street Lighting Improvement District located in the vicinity of Crismon Road and Main Street and appoint the Superintendent of Streets as District Engineer. The districts purpose is establishing street lighting facilities and purchasing electric service for the lighting of the public streets and parks within the area. A petition representing 100% of the property owners of Sonora Vista Apartments has been presented requesting the formation of this district. In as much as this is a 100% district, the hearing to organize will be held on this date. (C64022707) (ADM4302)

**ORDER ESTABLISHING
SONORA VISTA APARTMENTS STREET LIGHTING IMPROVEMENT DISTRICT**

A petition having been filed with the Clerk of the Board of Supervisors of Maricopa County, Arizona, praying for the establishment of Sonora Vista Apartments Street Lighting Improvement District, under the provisions of Title 48, Chapter 6, Article 1, Arizona Revised Statutes, 1956, and said petition having been presented to the Board of Supervisors on the 26th day of June, 2002 at the hour of 9:00 a.m., at the usual meeting place of said Board of Supervisors at 205 West Jefferson Street, in the City of Phoenix, as required by said Arizona Revised Statutes, 1956, and said Board having heard all interested property owners who appeared at said hearing on any matter relating to the establishment of the proposed District, or filed with the Clerk of the Board of Supervisors, before the date for said hearing, and after having heard all of said property owners, said Board of Supervisors finds that said petition is signed by the requisite number of owners of real property and further finds that the public convenience, necessity and welfare will be promoted by the establishment of said district, and hereby, by this formal order declares the findings aforesaid, and establishes the boundaries as follows:

The Southeast quarter of the Northwest quarter of the Southeast quarter of Section 22,
Township 1 North, Range 7 East of the Gila and Salt River Base and Meridian, Maricopa
County, Arizona.

And further declares that said district is now established under the name of Sonora Vista Apartments Street Light Improvement District, by which name it shall be known in all proceedings hereafter.

Upon motion made and unanimously carried the foregoing order is declared adopted this 26th day of June 2002.

/s/ Don Stapley, Chairman, Board of Supervisors

ATTEST:

/s/ Fran McCarroll, Clerk of the Board

PURCHASE OF A MINI-VAN

Motion was made by Supervisor Wilson, seconded by Supervisor Kunasek, and unanimously carried (3-0-2) to approve the expenditure of \$4,975.29 for the additional purchase cost of a mini-van. According to the vehicle replacement plan, the Clerk of Superior Court retired a sedan, but replaced it with a mini-van which is much more suited for the business today. The difference between the sedan replacement and the purchase of a mini-van is \$4,975.29. The additional cost will be absorbed by the Clerk of Superior Court's general fund budget. (C16020328) (ADM3100)

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EXEMPTION TO FULLY FUNDED POSITION POLICY

Motion was made by Supervisor Kunasek, seconded by Supervisor Wilson, and unanimously carried (3-0-2) to approve exemption to the Fully Funded Position Policy to allow OMB to establish 11 new positions (2 Counter positions for the Northwest Regional Court and 9 Document Imaging Specialist positions for the Electronic Document Management System) for the Clerk of the Superior Court effective July 1, 2002. Funding for these positions is included in the FY 2002-2003 Tentative Budget approved by the Board on June 17, 2002, in the amount of \$386,127. (C16020338) (ADM1827)

CONSTABLE'S SALARIES FOR CERTAIN PRECINCTS

Motion was made by Supervisor Kunasek, seconded by Supervisor Wilson, and unanimously carried (3-0-2) to approve setting the Constable's salary for precincts to be elected to a four-year term commencing on January 1, 2003: \$12,459 for the Gila Bend precinct; and \$48,294 for the 16 precincts up for election that have more than 16,000 registered voters including Buckeye, Central Phoenix, Chandler, East Mesa, East Phoenix No. 1, Glendale, North Valley, Peoria, Scottsdale, South Phoenix, Tempe East, Tempe West, Tolleson, West Mesa, West Phoenix, and Wickenburg precincts. The recommended salary for the Gila Bend precinct is not changed from the existing rate. The recommended salary for the balance of precincts is increased to the base of the new salary range mandated in statute (a 9% increase from the current salary of \$44,158). Funding for these salary increases effective January 1, 2003, is included in the Constables FY 2002-2003 recommended budget. (C20020070) (ADM1300)

SALE OF RICO FORFEITED REAL PROPERTY

Motion was made by Supervisor Kunasek, seconded by Supervisor Wilson, and unanimously carried (3-0-2) to approve the sale of County Attorney's RICO forfeited real property located in Rolling Ranch Estates (Tax Assessor Parcel Nos. 3529-038-012 to 3529-038-019), Marion County, Florida. A sale of the property will be attempted by means of a public auction in accordance with the statutory procedures stated in A.R.S. §11-251.9. This property was obtained by the County Attorney's Office as part of a RICO (Racketeer Influenced & Corrupt Organizations Act) civil forfeiture procedure authorized by A.R.S. §13-2301 and A.R.S. §13-2314. The estimated \$5,000 proceeds from the sale of this property will be deposited into the County Attorney's Office RICO fund as required by statute. The expenditures related to the sale will be approximately \$2,000 and absorbed as part of the RICO budget. (C19020548) (ADM400)

GRANT FUNDING FROM STATE OF ARIZONA, OFFICE OF THE ATTORNEY GENERAL

Motion was made by Supervisor Kunasek, seconded by Supervisor Wilson, and unanimously carried (3-0-2) to approve receipt of grant funds from the State of Arizona, Office of the Attorney General for award agreement A.G. No. 2002-008 in the amount of \$483,050, to be used to support the direct costs of implementing victims rights laws pursuant to those provisions of the Arizona Revised Statutes Title 13, Chapter 40 and Title 8, Chapter 3, Article 7 impacting prosecutorial agencies as an entity type. This agreement will commence on July 1, 2002, and terminate on June 30, 2003. The grant funds may not be expended for any indirect costs which may be incurred by the County Attorney's Office or Maricopa County for the administration of this grant. By approving this agenda item, the Board will be authorizing the reduction of grant funding that was budgeted, thus causing a budget amendment to be authorized after the FY 2002-2003 budget is adopted. This amendment will decrease the County Attorney's revenue and expenditure levels for FY 2002-2003 by \$60,404. Grant revenues are not "local revenues" for the purpose of the constitutional expenditure limitation, therefore expenditure of the funds is not prohibited by the budget law. This budget adjustment does not alter the budget constraining the expenditure of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105. (C19020573)

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GRANT FUNDS FROM ARIZONA AUTOMOBILE THEFT AUTHORITY

Motion was made by Supervisor Kunasek, seconded by Supervisor Wilson, and unanimously carried (3-0-2) to approve receipt of grant funds from the Arizona Automobile Theft Authority in the amount of \$99,720. These grant funds are intended to be used exclusively for reimbursement of expenditures related to one (1) FTE Prosecutor dedicated to prosecution and one (1) FTE Legal Secretary who will give priority to Arizona Vehicle Theft Task Force auto theft cases. This grant agreement commenced on July 1, 2002, and will terminate on June 30, 2003. The grant funds may not be expended for any indirect costs that may be incurred by the County Attorney's Office or Maricopa County for the administration of this grant. By approving this agenda item, the Board will be authorizing the increase of grant funding that was budgeted, thus causing a budget amendment to be authorized after the FY 2002-2003 budget is adopted. This amendment will increase the County Attorney's revenue and expenditure levels for FY 2002-2003 by \$326. Grant revenues are not "local revenues" for the purpose of the constitutional expenditure limitation, therefore expenditure of the funds is not prohibited by the budget law. This budget adjustment does not alter the budget constraining the expenditure of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105. (C19020583)

GRANT FUNDS FROM ARIZONA DEPARTMENT OF PUBLIC SAFETY, VICTIM ASSISTANCE GRANT PROGRAM

Motion was made by Supervisor Kunasek, seconded by Supervisor Wilson, and unanimously carried (3-0-2) to approve receipt of grant funds from the Arizona Department of Public Safety, Victim Assistance Grant Program in the amount of \$163,226. The County Attorney's Office recognizes that this grant requires a match of \$40,807 and has the resources to provide this match. This agreement, DPS Contract No. 2002-914, shall commence on July 1, 2002, and terminate on June 30, 2004. The grant funds may not be expended for any indirect costs, which may be incurred by the County Attorney's Office or Maricopa County for the administration of this grant. By approving this agenda item, the Board will be authorizing the reduction of grant funding that was budgeted, thus causing a budget amendment to be authorized after the FY 2002-2003 budget is adopted. This amendment will decrease the County Attorney's revenue and expenditure levels for FY 2002-2003 by \$405. Grant revenues are not "local revenues" for the purpose of the constitutional expenditure limitation, therefore expenditure of the funds is not prohibited by the budget law. This budget adjustment does not alter the budget constraining the expenditure of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105. (C19020613)

GRANT FUNDS FROM ARIZONA CRIMINAL JUSTICE COMMISSION

Motion was made by Supervisor Kunasek, seconded by Supervisor Wilson, and unanimously carried (3-0-2) to approve receipt of grant funds from the Arizona Criminal Justice Commission (ACJC) for the following FY 2002-2003 programs, commencing on July 1, 2002, and terminating on June 30, 2003. The grant funds may not be expended for any indirect costs that may be incurred by the County Attorney's Office or Maricopa County for the administration of these grants. Grant revenues are not "local revenues" for the purpose of the constitutional expenditure limitation, and therefore expenditure of the funds is not prohibited by the budget law. This budget adjustment does not alter the budget constraining the expenditure of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105.

- a. Crime Victim Assistance Program in the amount of \$103,680, to provide services to victims of crime, grant agreement ACJC Grant Number VA-03-024. This grant also requires a match of \$103,680. By approving this agenda item, the Board will be authorizing the reduction of grant funding that was budgeted, thus causing a budget

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amendment to be authorized after the FY 2002-2003 budget is adopted. This amendment will decrease the County Attorney's revenue and expenditure levels for FY 2002-2003 by \$4,320. (C19020603)

- b. Aggravated Domestic Violence Prosecution Program in the amount of \$37,187, to provide victim assistance services to victims of domestic violence cases being prosecuted, grant agreement, ACJC Grant Number ADV-03-215. This award has been previously budgeted for FY 2002-2003. By approving this agenda item, the Board of Supervisors will be authorizing the acceptance of grant funding previously budgeted. There will not be a budget amendment to be authorized after the FY 2002-2003 budget is adopted. (C19020623)
- c. Crime Victim Compensation Program in the amount of \$1,221,548, Certified Assurances agreement certification number VC-03-056. By approving this agenda item, the Board will be authorizing the acceptance of grant funding previously budgeted. There will not be a budget amendment to be authorized after the FY 2002-2003 budget is adopted. (C19020633)
- d. Obscenity Prosecution Program in the amount of \$180,829, to enhance efforts to prosecute obscenity offenders, grant agreement, ACJC number OBS-03-168. A portion of this award has been previously budgeted for FY 2002-2003. By approving this agenda item, the Board will be authorizing the reduction of grant funding that was budgeted, thus causing a budget amendment to be authorized after the FY 2002-2003 budget is adopted. This amendment will decrease the County Attorney's revenue and expenditure levels for FY 2002-2003 by \$12,165. (C19020643)

GRANT FUNDS FROM U.S. DEPARTMENT OF JUSTICE FOR THE COMMUNITY ACTION BUREAU PROSECUTION ENHANCEMENT PROJECT

Motion was made by Supervisor Kunasek, seconded by Supervisor Wilson, and unanimously carried (3-0-2) to approve receipt of grant funds from the U.S. Department of Justice for the Community Action Bureau Prosecution Enhancement Project in the amount of \$99,226. The grant funds shall be for the period of June 1, 2002, to November 30, 2003. By approving this agenda item, the Board will be authorizing the acceptance of additional grant funding that is not budgeted, thus causing a budget amendment to be authorized after the FY 2002-2003 budget is adopted. This amendment will increase the County Attorney's revenue and expenditure level for FY 2002-2003 by \$69,323. Grant revenues are not "local revenues" for the purpose of the constitutional expenditure limitation, and therefore expenditure of the funds is not prohibited by the budget law. This budget adjustment does not alter the budget constraining the expenditure of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105. (C19020653)

FILING OF PROPERTY TAX APPEAL – SFPP LP v. ARIZONA DEPARTMENT OF REVENUE, MARICOPA COUNTY, et al

Motion was made by Supervisor Kunasek, seconded by Supervisor Wilson, and unanimously carried (3-0-2) to approve the filing of a property tax appeal to the Court of Appeals in the matter of SFPP LP v. Arizona Department of Revenue, Maricopa County, et al., TX 1999-00532, TX 2001-000001, TX 2001-000382. (Discussed in Executive Session of June 10, 2002.) (C1902066M) (ADM704)

ALLOCATION FROM GENERAL GOVERNMENT GENERAL FUND CONTINGENCY

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Motion was made by Supervisor Wilson, seconded by Supervisor Kunasek, and unanimously carried (3-0-2) to approve an allocation from FY 2001-2002 General Government General Fund Contingency not-to-exceed \$65,000 to fund the Sheriff's Office grant match portion for the Maricopa County Neighborhood Narcotics Enforcement Team (MCNNET) grant from the Arizona Criminal Justice Commission. (C5001087302) (ADM3900)

PURCHASE OF TWO LAPTOP COMPUTERS

Motion was made by Supervisor Wilson, seconded by Supervisor Kunasek, and unanimously carried (3-0-2) to approve an exception to FY 2001-2002 Budget Administration Memo No. 8 to purchase two fully equipped laptop computers using \$9,000 from Sheriff's Office designated grant funds. On January 3, 2002, the Board approved application and acceptance of up to \$127,000 in grant funds from the Department of Treasury Bureau of Alcohol, Tobacco, & Firearms, GREAT (Gang Resistance Education and Training) Program Agenda C50020223, of which \$78,969 has been awarded. These laptop computers will be used by Sheriff's Office personnel who are certified to deliver GREAT programs. (C5002022301) (ADM3900-002)

APPROPRIATION ADJUSTMENT TO INMATE CANTEEN FUND

Motion was made by Supervisor Wilson, seconded by Supervisor Kunasek, and unanimously carried (3-0-2) to approve an appropriation adjustment to the Sheriff's Office Inmate Canteen fund to increase the FY 2001-2002 expenditure budget from \$5,700,000 to \$6,700,000. This action does not affect the expenditure limit because the overall FY 2001-2002 County budget has been reduced below the level originally set by the Board at the Final Budget Adoption in June 2001. (C50020988) (ADM3900)

EXEMPTION TO EMPLOYEES COMPENSATION PLAN

Motion was made by Supervisor Wilson, seconded by Supervisor Kunasek, and unanimously carried (3-0-2) to approve an exemption to the Maricopa County Employees Compensation plan to pay off Sheriff's Office employees with accumulated comp time balances that total less than one hour. The amount will not exceed \$1,000 and will be paid from budgeted funds. On April 1, 2001, the Sheriff's Office had 186,250.81 hours of comp time on record with a payoff value of \$3,609,759. The Office has worked diligently toward reducing this liability to zero. Remaining are comp time balances of less than one hour that do not exceed \$1,000 in aggregate. (C5002101M) (ADM3308)

EXPENDITURE AND REVENUE INCREASE

Motion was made by Supervisor Kunasek, seconded by Supervisor Wilson, and unanimously carried (3-0-2) to approve an expenditure and revenue increase to Adult Probation's Special Revenue agency 112 budget for FY 2002 in the amount of \$250,000. This authorization will increase agency 112's target from \$8,797,825 to \$9,047,825. This increase is needed to cover funding shortages in State grants for FY 2001-2002. Funding exists in this agency to cover this request. (C11020078) (ADM200)

VEHICLES EXEMPT FROM MARKINGS

Motion was made by Supervisor Kunasek, seconded by Supervisor Wilson, and unanimously carried (3-0-2) to approve exemption from markings, including Maricopa County seals and government plates, from Adult Probation vehicles 23804 and 82150, and approve the removal of government plates from vehicles 82013 and 82106. Government plates are to be replaced with undercover plates. These vehicles were previously assigned to Adult Probation sites and shared by staff in the performance of duties. However, they are now

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being reassigned and will be used on a full-time basis for the supervisors of felons currently on Adult Probation for domestic violence and sex offender convictions as well as for the location of probation violators on warrant status. Costs associated with the removal of government seals and refinish the paint is estimated to be between \$165 and \$1,325 for each vehicle. (C1102008M) (ADM3101)

RESOLUTION – PARTICIPATION IN FAMILY COUNSELING PROGRAM

Motion was made by Supervisor Kunasek, seconded by Supervisor Wilson, and unanimously carried (3-0-2) to approve the participation, by Resolution, in the State of Arizona Family Counseling Program for FY 2002-2003, administered by the Juvenile Court pursuant to A.R.S. §8-261 et. seq., for the purpose of strengthening family relationships and prevention of juvenile delinquency. Also authorize \$85,528 of matching General Funds for FY 2002-2003. Approval is contingent on the Board approval of the FY 2002-2003 final budget, which includes an appropriation for this purpose. (C27030016) (ADM1400)

FY 2002 FEDERAL LOCAL LAW ENFORCEMENT BLOCK GRANT

Motion was made by Supervisor Kunasek, seconded by Supervisor Wilson, and unanimously carried (3-0-2) to apply for and accept award of FY 2002 Federal Local Law Enforcement Block Grant dollars in the total amount of \$505,835 from the Bureau of Justice Assistance (BJA). This includes a direct allocation to Maricopa County of \$121,657 and \$384,178 in funds reallocated from Phoenix and Mesa to reconcile the disparate funding allocation as certified by the Arizona Attorney General. Funds will be used to support projects in three different departments (I.S.O., Adult Probation and Juvenile Probation) with each department allocating the requisite 10% cash match. Further grant awards and associated matches are to be expended within a two year period of time. (C20020083)

TRANSFER FROM DETENTION FUND APPROPRIATED FUND BALANCE CONTINGENCY

Motion was made by Supervisor Kunasek, seconded by Supervisor Wilson, and unanimously carried (3-0-2) to approve authorizing the Office of Management & Budget to transfer \$340,000 from FY 2003 Detention Fund Appropriated Fund Balance Contingency (4811) to the FY 2002-2003 Appropriated Fund Balance Detention Fund Other General Program (4812) between the Tentative Budget adoption and the Final Budget adoption, for the purchase of data communication equipment necessary to complete the construction of a Secure Network complete with encryption to selected Justice and Law Enforcement sites. (C42020080) (ADM2714)

REJECT CLAIM DEMANDS

Motion was made by Supervisor Kunasek, seconded by Supervisor Wilson, and unanimously carried (3-0-2) to reject claim demands (May 2002) for emergency medical services from private medical providers to patients who do not meet the requirements of Arizona Revised Statutes or Maricopa County Policies and are, therefore, not the responsibility of Maricopa County pursuant to A.R.S. §11-629 (not a proper charge against the County) and A.R.S §11-622 (claims not having been filed within six-months after the last item of the account accrues). (ARS §11-629 \$840,580.40 and ARS §11-622 \$109,894.14) (C39020197) (ADM1804)

**Monthly Summary Report
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Vendor

**Amb., Doctors, Hosp.
Ars 11-629**

**Over Six Months
Ars 11-622**

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Air Evac Services, Inc.	7,561.80	0.00
American Heart Center	0.00	90.00
Amr Goodhew Reiverside	0.00	1,167.90
Arrowhead Community Hospital	2,042.10	17,104.70
Associated Radiologists Ltd	286.00	935.00
Associated Radiologists, Ltd	102.00	0.00
Az Kidney Disease & Hypertension	0.00	514.00
Az Ophthalmic Outpt. Surg.	1,513.00	0.00
Barnet Dulaney Perkisn Eye Crt	0.00	95.00
Benadert, Linda D.O. Pc	225.00	0.00
Borst, Matthew P. Md Pc	565.00	0.00
Carlsbad Medical Center	3,923.00	0.00
City Of Phoenix Ambulance	4,696.55	0.00
Clinical Diagnostic Radiology	252.00	0.00
Desert Sam Med Ctr	2,508.05	0.00
Emergency Assoc Of Arizona	898.00	0.00
Emergency Physicians Prof Asso	519.00	0.00
Emergency Professional Svcs Pc	100.32	0.00
Good Samaritan Reg Med Ctr	37,384.25	0.00
Gray, Devin	5,927.00	0.00
Gsrnc-Academic Surgical Servi	836.00	0.00
Horizon Medical Center	0.00	1,618.00
Hospital Radiologists, Ltd	1,232.00	0.00
Hospitalists Of Arizona	0.00	1,083.00
Kaldawi, Emad G. Md	1,330.00	0.00
Khera Cardiology Center Pc	0.00	385.00
Maricopa Health Systems	447,359.26	4,349.16
Maryvale Emergency Physicians	295.00	0.00
Maryvale Hospital Med Ctr	21,233.60	20,390.55
Mayo Clinic Arizona	484.10	0.00
Mayo Clinic Hospital	7,384.43	0.00
Mesa Emergency Services Llc	142.00	466.00
Native American Air Ambulance	5,525.00	0.00
North Phoenix Heart Center	4,170.00	0.00
Northwest Chest Consultants	14,423.39	16,534.86
Paradise Valley Hospital	25,699.71	30,356.67
Paseo Medical Specialists	190.00	0.00
Phoenix Baptist Hospital	4,055.40	3,301.30
Phoenix Cardiac Surgery Pc	8,730.00	0.00
Phoenix Medical Group Pc	389.00	195.00
Phoenix Memorial Hospital	26,042.09	0.00
Professional Medical Transport	10,108.29	0.00
Progressive Medical Assoc. Pll	300.00	0.00
Rural Metro Ambulance	484.48	0.00
Rural Metro Corporation	438.59	0.00
Scottsdale Pathology Associat	588.00	0.00
Sjh Trauma Billing	2,129.00	11,291.00
Southwest Ambulance	20,241.43	0.00
Springs Ambulance	882.30	0.00
St Josephs Hosp Arizona	156,078.72	0.00

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St Lukes Medical Center	6,706.54	0.00
Sun Health Physicians	0.00	17.00
Thunderbird Sam Med Ctr	4,599.00	0.00
Grand Totals:	840,580.40	109,894.14
Restitution	0.00	
Totals Denials:	950,474.54	

PERSONNEL AGENDA

Motion was made by Supervisor Kunasek, seconded by Supervisor Wilson, and unanimously carried (3-0-2) to approve Personnel Agenda (Judicial Branch and Maricopa County). (List on file in the Clerk of the Board's Office.)

EMPLOYEE GAINSHARING PROGRAM - CONTINUED

Approve the Employee Gainsharing Program as authorized by the Maricopa County Employee Compensation Plan, Section VIII. (C35020046) (ADM3345)

This item was continued to the July 22, 2002, meeting.

INTERIM SALARY ADVANCEMENT POLICY – FY 2003

Motion was made by Supervisor Kunasek, seconded by Supervisor Wilson, and unanimously carried (3-0-2) to approve the recommended Interim Salary Advancement Policy – FY 2003. (C35020086) (ADM3321)

I. Purpose

The purpose of this policy is to establish guidelines for County and Judicial Departments/Special Districts to submit critical salary increases in FY2003 for Board approval.

II. Background

Maricopa County and Special Districts are committed to paying its employees a fair wage for the work performed. County and Judicial Departments/Special Districts have been given the discretion to manage their employees and their personal services budget as best fits the needs of the individual department. A salary advancement process has been established in the Employee Compensation Plan which allows increases in pay when performance and significant changes in market salaries warrant it. In the Judicial Human Resources Compensation Policy and Procedure, salary increases are accomplished through Reclassifications, Career Path Classifications and Step Adjustments, Performance/Merit Increases, Special Salary Adjustments, Equity Adjustments and Recognition Awards. These increases are allowed provided there is sufficient funding in the County and Judicial Department's/Special District's budget to support them.

Over the course of the last five years, Maricopa County/Special Districts have made a significant investment in employee salaries, and as a result, Maricopa County/Special Districts appear to have substantially attained their stated goal of being within five percent of midpoint on average.

The sudden downturn in the economy that began in early FY 2002, and which was exacerbated by the events of September 11, 2001, has resulted in a tight FY 2002-03 budget. No funding has been loaded into County and Judicial Department's/Special District's budgets for salary advancements.

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Due to the economic uncertainty, a hold on salary advancements is being implemented until the economy stabilizes.

III. Policy

The Total Compensation Department, Compensation Division will not accept any Salary Advancements with an effective date of July 1, 2002 forward, without prior approval by the Board of Supervisors/Board of Directors. A County and Judicial Department/Special District may feel a salary advancement is warranted for a member of their department/district. Special circumstances which merit consideration may include completion of probation or attainment of specialized training/certification/licensure for continued employment. If so, the County and Judicial Department/Special District may present an agenda item for Board approval.

Funding for such increases must be available within the County and Judicial Department's/Special District's existing budget. Availability of funding will be confirmed by the Office of Management and Budget. Requests for additional funding must be supported by documentation and discussed with the Office of Management and Budget prior to action by the Board of Supervisors/Board of Directors.

COLLECTIONS INCENTIVE FOR THE FAMILY HEALTH CENTERS' GAINSHARING PROGRAM - CONTINUED

Approve the Collections Incentive for Admitting, Registration and the Family Health Centers' Gainsharing Program for the Maricopa Integrated Healthcare System, per the Employee Gainsharing Program Policy. (C35020056) (ADM3345)

This item was continued to the August 7, 2002, meeting.

PRE-AHCCCS CLAIM LOSS REDUCTION GAINSHARING PROGRAM

Approve the "Pre-AHCCCS Claim Loss Reduction" Gainsharing Program for Health Care Mandates, per the Employee Gainsharing Program Policy. (C35020066) (ADM3345)

This item was continued to the August 7, 2002, meeting.

RISK MANAGEMENT/SHERIFF'S OFFICE RISK MANAGEMENT SAFETY INCENTIVE FOR THE SHERIFF'S OFFICE DETENTION OFFICERS GAINSHARING PROGRAM - CONTINUED

Approve the "Risk Management/Sheriff's Office Risk Management Safety Incentive for the Sheriff's Office Detention Officers' Gainsharing Program, per the Employee Gainsharing Program Policy. (C35020076) (ADM3345)

This item was continued to the August 7, 2002, meeting.

RESOLUTION – 2002 AGENCY AND CAPITAL FUNDING PLANS

Motion was made by Supervisor Wilson, seconded by Supervisor Kunasek, and unanimously carried (3-0-2) to adopt a resolution approving the 2002 Agency and Capital Funding Plans for the Housing Department as required by the U.S. Department of Housing and Urban Development (HUD) under Section 511 of the Quality Housing and Work Responsibility Act of 1998. (C6602005M) (ADM2400)

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RESOLUTION

RESOLUTION APPROVING THE 2002 AGENCY AND CAPITAL FUNDING PLANS FOR THE HOUSING DEPARTMENT AS REQUIRED BY THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) UNDER SECTION 511 OF THE QUALITY HOUSING AND WORK RESPONSIBILITY ACT (QHWRA) OF 1998

WHEREAS, the U.S. Department of Housing and Urban Development (HUD) requires that housing agencies develop Agency and Capital Funding Plans to address housing issues, and

WHEREAS, the Agency Plan is comprised of a one-year plan and a five-year plan, and

WHEREAS, the Agency and Capital Funding plans were developed in consultation with input from residents, partnering agencies and staff, and

WHEREAS, we have complied with the statutory requirements of QHWRA and have ensured that our goals as identified in the Plan are consistent not only with the Maricopa County Consolidated Plan, but also conforms to the County's Managing for Results Program, and

WHEREAS, the Maricopa County Housing stock will be sufficiently maintained, additional stock will be constructed.

NOW, THEREFORE, BE IT RESOLVED by the Maricopa County Board of Supervisors that the Maricopa County Housing Department's 2002 Agency and Capital Funding Plans be approved as required by the U.S. Department of Housing and Urban Development under Section 511 of the Quality Housing and Work Responsibility Act of 1998.

DATED this 26th day of June 2002.

/s/ Don Stapley, Chairman of the Board

ATTEST:

/s/ Fran McCarroll, Clerk of the Board

PURCHASE OF THREE HAND-HELD RADIOS FOR SPUR CROSS RANCH CONSERVATION AREA

Motion was made by Supervisor Wilson, seconded by Supervisor Kunasek, and unanimously carried (3-0-2) to approve the purchase of three handheld radios for Spur Cross Ranch Conservation Area and one replacement handheld radio. These funds are available in the Spur Cross Ranch Conservation Area Fund in FY 2003 and do not impact the General Fund. The purchase of three new handheld radios is needed for the park staff assigned to Spur Cross Ranch Conservation Area. The radios are the only reliable means of communication in the park, which has many "dead" areas for cell phone communication. The replacement radio is needed to allow replacement of a borrowed radio that was damaged in a hiking mishap. The total cost for the three new radios and the replacement radio is \$10,225.70. (C3002052M) (ADM3242)

APPROPRIATION ADJUSTMENT

Motion was made by Supervisor Wilson, seconded by Supervisor Kunasek, and unanimously carried (3-0-2) to authorize the Office of Management and Budget to implement an appropriation adjustment at the end of FY 2001-2002 between the Parks & Recreation Department and the Public Fiduciary in an amount agreed to by both departments, but not-to-exceed \$35,000, due to a low personnel turnover rate causing the Public

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Fiduciary not to meet its budgeted vacancy savings. Projected savings in the Parks & Recreation budget is sufficient to cover the projected overrun in the Public Fiduciary. (C30020538) (ADM3200) (ADM3500)

FUND TRANSFERS

Motion was made by Supervisor Wilson, seconded by Supervisor Kunasek, and unanimously carried (3-0-2) to approve regular and routine fund transfers from the operating funds to clearing funds including payroll, work authorizations, journal entries, allocations, loans, and paid claims. Said claims having been recorded on microfiche retained in the Department of Finance in accordance with the Arizona State Department of Library Archives and Public Records retention schedule, and incorporated herein by this reference.

SOLICITATION SERIALS

Motion was made by Supervisor Wilson, seconded by Supervisor Kunasek, and unanimously carried (3-0-2) to approve the following solicitation serial items. The action on the following items is subject to County Counsel's review and approval of the respective contracts and subsequent execution of contracts. (ADM3005)

Solicitation Serials

- 01134-RFP FOOD RETHERMALIZATION SYSTEM** (\$7,400,000 est./five (5) years)
Pricing agreement to purchase a food rethermalization system for use by MCSO Food Service Department. The initial purchase will provide carts, trays, and docking stations for the first phase of the new jail project, as well as continued purchase and maintenance of the retherm units on an as required basis.
- . Burlodge
- 01177-C FENCING: PURCHASE, RENTAL, REPAIR AND NEW INSTALLATION**
(\$119,000 est./two (2) years, with three (3), one-year renewal options)
Pricing agreement for the Purchase, Rental, Repair and Installation of Fencing as requested by Facilities Management, MCSO, Parks & Rec., MCDOT, and Flood Control.
- . **American Fence & Security, Inc**
 - . Browns Custom Fence
- 02008-C INMATE CANTEEN PERSONAL CARE AND HYGIENE ITEMS** (\$1,280,000 est./two (2) years, with three (3), one-year renewal options)
Pricing agreement to purchase personal care and hygiene items for the MCSO Inmate Canteen. These items are purchased for resale to the inmates.
- . Amercare Products Inc
 - . American Amenities Inc
 - . Bob Barker Company Inc
 - . Capital Enterprise Inc
 - . Crawford Supply Company
 - . Food Express USA
 - . ICS
 - . Jenny Service Company
 - . Securitas Inc
 - . Village Sundries And Tobacco Inc

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- 02018-S IBM & IBM COMPATIBLE HARDWARE MAINTENANCE AND SOFTWARE SUPPORT** (\$375,000 est./three (3) years, with two (2), one-year renewal options)
Pricing agreement to maintain and support all IBM and IBM compatible hardware and software in the Recorder's Office, Sheriff's Office, Juvenile Court, E-Government Technology (CIO) and the County Schools.
. Signature Technology Group, Inc.
- 02026-MS PALLET RACKS AND SHELVING (\$120,000 est./One Time Purchase)**
Pricing agreement to purchase pallet racking and industrial shelving for the new Central Services Warehouse that is now under construction. CJFDD is responsible for coordinating this one time purchase.
. Naumann/Hobbs Material Handling Inc
- 02031-S CHILLER (CENTRIFUGAL) REPAIR, MAINTENANCE, AND OVERHAUL** (\$7,000,000 est./three (3) years, with two (2), one-year renewal options)
Pricing agreement for a comprehensive quarterly and annual preventive maintenance program for HVAC centrifugal chillers at various locations throughout the County. Agreement also provides repair and overhaul services of the equipment and, if necessary, the rental of chiller equipment.
. The Trane Company
- 02043-C PORTLAND CEMENT** (\$120,000 est./two (2) years, with three (3), one-year renewal options)
Pricing agreement to purchase Portland Cement for use by the Department of Transportation in maintenance of streets and roadways.
. L and M Building Materials
- 02041-S INTERCOM SYSTEM REPAIRS – MADISON STREET JAIL** (\$400,000 est./one (1) year with four (4), one-year renewal options)
Pricing agreement to maintain the Telecor and Jenron intercom systems located at the Madison Street Jail.
. Fire Security Electronics & Communications, Inc.

Sole Source:

- a) Sole source procurement with VisionShape to provide AIM 2400 color check scanners, VisionTools Check OCX software and software/hardware maintenance. Total expenditures will not exceed the Recorder's Office budgetary authorization. VisionShape is the only vendor capable of providing check scanners, software and maintenance compatible with existing systems in the Recorder's Office. Currently, the Recorder's Office is using check scanners that provide black and white digital images for reconciliation and archival purposes. This requirement was advertised in accordance with the County's sole source procurement procedures. (C73020131)
- b) Sole source procurement with Computer Peripherals Unlimited, Inc. to provide QUALSTAR library tape drives, upgrades, and maintenance. Total expenditures will not exceed the Recorder's Office budgetary authorization. Computer Peripherals Unlimited, Inc. is the only vendor within this geographical region to provide on-site service. Currently, the QUALSTAR tape library system is used by the Recorder's Office for backing up the Windows NT network

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and is maintained by the Recorder's Office. This requirement was advertised in accordance with the County's sole source procedures. (C73020141)

Extension of Contracts:

It is recommended that the Board of Supervisors approve the extension of the following contract(s): (Extensions are recommended with the concurrence of the using agency(s) and the vendor(s), upon satisfactory contract performance and, when appropriate, after a market survey is performed.)

Until September 30, 2004

99101-SC ROOFING REPAIRS AND MAINTENANCE (\$1,000,000 est./two (2) years)
Extension of pricing agreement to provide repair and maintenance to roofs of County buildings as required.
 . Pioneer Roofing, Inc.

Increase in the contract amount for the following contract(s). This request is due to an increased usage by County departments:

00182-X VETERINARY SUPPLIES
Increase contract value from \$240,000 to \$316,000. The original contract dollar amount was \$200,000.00 that was approved by the Board of Supervisors on April 4, 2001. The Materials Management Director approved a subsequent renewal in the amount of \$ 40,000 on May 16, 2002. This new increase will allow Animal Control Services to process purchases through the contract period, which expires on August 31, 2002. Please note: Premier Veterinary Supply has changed to TW Medical.
 . Associated Medical Supply
 . Burns Veterinary
 . Merial Limited
 . MWI Veterinary Supply-Division of Agri Beef Company
 . TW Medical
 . Schering-Plough Animal Health Corporation

Cancel and Re-award Contract

01164-ROQ SEXUAL PREDATOR MENTAL HEALTH PSYCHOLOGICAL EVALUATOR-MCSO
Recommendation for subsequent award to Dr. Leo Munoz and simultaneous cancellation of contract award to Terry Scritchlow, Ph.D. Recommended Awardee was a participant in the initial solicitation and is deemed acceptable for award by MCSO. This contract provides psychologists for evaluation of certain inmates identified as sexual offenders and is mandated by state statutes (A.R.S. 36-3701).
 . Dr. Leo Munoz

Article Three Procurement Officer Appointments for a period not to exceed five (5) years and subject to renewal each year by the Director of Materials Management:

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The following Procurement Officers are authorized to solicit specific types of services for their respective departments via either the "Request for Proposal" or "Review of Qualification" solicitation method. Services authorized are "Professional" Services listed in Article MC1-203 of the Maricopa County Procurement Code and related "Contractual Services". Both types of services must be related to the specific function of each department, required only and solely for that specific department and subject to the approval of the Materials Management Department:

- David A. Brozovsky, Flood Control District
- Steve Hedrick, Human Services Department
- Joe Rea, Department of Public Health
- David Verna, Community Development Department

RENEWAL OF KENNEL PERMITS

Motion was made by Supervisor Wilson, seconded by Supervisor Kunasek, and unanimously carried (3-0-2) to approve the following kennel permit renewals for the term of June 26, 2002, through June 25, 2003: (C7902089C) (ADM2304)

- Elisabeth Kawakami, dba Lorelei Kennels, 10623 North 24th Place, Phoenix, Permit No. 083
- Maxine Willis, dba Maxine Willis Kennels, 11302 West Broadway, Tolleson, Permit No. 264

AMENDMENT TO VOLUNTARY VEHICLE REPAIR AND RETROFIT PROGRAM

Motion was made by Supervisor Wilson, seconded by Supervisor Kunasek, and unanimously carried (3-0-2) to approve Amendment No. 5 to the Voluntary Vehicle Repair and Retrofit Program with the Arizona Department of Environmental Quality. This amendment will increase the amount by \$2,080,000 for a new agreement total of \$5,052,800. The duration of this agreement will be extended to June 30, 2003. No matching County funds are required and the grant covers County indirect costs. By approving this agenda item, the Board will be authorizing the acceptance of grant funding that is not budgeted, thus causing a budget amendment to be authorized. This amendment will increase Environmental Services revenue and expenditures for FY 2003 by \$2,080,000. (C8899012205)

AMENDMENT TO TRIP REDUCTION PROGRAM AND CLEAN AIR CAMPAIGN

Motion was made by Supervisor Wilson, seconded by Supervisor Kunasek, and unanimously carried (3-0-2) to approve amendment, an increase in the amount of \$948,575, from the Arizona Department of Environmental Quality to fund the Maricopa County Trip Reduction Program and the Clean Air Campaign for the period July 1, 1999, through June 30, 2003. This amendment increases the total grant to \$3,794,300. The grant will fund 16 FTE's and will support an intergovernmental agreement in the amount of \$400,000 with the Regional Public Transportation Authority. This grant represents the 15th consecutive year that the County has participated in this program. This grant authorizes the County to receive advance quarterly payments from ADEQ. No matching County funds are required, and the grant covers County indirect costs. (C8800001303)

SOLE SOURCE CONTRACT WITH KACHINA AUTOMOTIVE EQUIPMENT, INC.

Motion was made by Supervisor Wilson, seconded by Supervisor Kunasek, and unanimously carried (3-0-2) to approve a sole source contract with Kachina Automotive Equipment, Inc. as the exclusive distributor for Neutronics Enterprises, Inc. The contract, in the amount of \$1,317,000, will allow the

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Environmental Services Department to meet requirements set forth in A.R.S. §49-474.03. The sole source contract will continue the Voluntary Vehicle Repair and Retrofit Program through June 2003. Administrative costs have been reserved through this appropriation and a previous general fund appropriation. (C88020501)

SETTLEMENT OF MARICOPA vs. MARLYN NUTRACEUTICALS, INC., dba NATURALLY VITAMINS

Motion was made by Supervisor Wilson, seconded by Supervisor Kunasek, and unanimously carried (3-0-2) to approve the proposed settlement of Maricopa vs. Marlyn Nutraceuticals, Inc. dba Naturally Vitamins in the amount of \$9,000. Marlyn Nutraceuticals, Inc. dba Naturally Vitamins was in violation of Maricopa County's Trip Reduction Ordinance. (Discussed in Executive Session of June 6, 2001.) (C88020607) (ADM2355)

AMENDMENTS TO INTERGOVERNMENTAL (EXPENSE) AGREEMENTS AND CONTRACTS REGARDING WORKFORCE INVESTMENT ACT YOUTH PROGRAM

Motion was made by Supervisor Kunasek, seconded by Supervisor Wilson, and unanimously carried (3-0-2) to approve the following amendments to intergovernmental (expense) agreements and contracts for the provision of Workforce Investment Act (WIA) Youth program services during FY 2003. Funding for these contracts is provided to Maricopa County by the Arizona Department of Economic Security (ADES) under the federal Workforce Investment Act as administered by the U.S. Department of Labor. This agreement does not contain any County general funds.

- a. Amendment No. 3 with Arizona Call-A-Teen to increase the reimbursable budget by \$690,096 (from \$1,187,572 to \$1,877,660), and extend the term of the contract one year, from June 30, 2002, until June 30, 2003. (C2201118103)
- b. Amendment No. 2 with Gilbert Public Schools to increase the reimbursable budget by \$116,052 (from \$127,033 to \$243,085), and extend the term of the IGA one year, from July 1, 2002, through June 30, 2003. (C2202119002)
- c. Amendment No. 2 with Town of Guadalupe to increase the reimbursable budget by \$123,780 (from \$132,835 to \$256,615), and extend the term of the IGA one year, from July 1, 2002, through June 30, 2003. (C2202120202)
- d. Amendment No. 2 with City of Tempe to increase the reimbursable budget by \$123,780 (from \$132,835 to \$256,615), and extend the term of the IGA one year, from July 1, 2002, through June 30, 2003. (C2202123202)

INTERGOVERNMENTAL AGREEMENTS WITH VARIOUS SCHOOL DISTRICTS FOR FOOD CATERING

Motion was made by Supervisor Kunasek, seconded by Supervisor Wilson, and unanimously carried (3-0-2) to approve intergovernmental agreements with the following school districts for the provision of food catering to participants in Maricopa County Head Start. The IGA requires the school districts to provide a minimum of 1/3 to 2/3 of the daily-recommended dietary allowances based on a fixed price per unit of service. The Arizona Department of Education's, Child/Adult Care Food Program, School Breakfast Program, the National School Lunch Program, and the U. S. Department of Health and Human Services provide funding for the IGA's. The terms are July 1, 2002, through September 30, 2003. These agreements do not include any County General Funds.

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- a. Scottsdale Unified School District, representing a fixed price in the amount of \$55,412 (C22030092)
- b. Tempe School District No. 3, representing a fixed price in the amount of \$179,907. (C22030102)

NON-FINANCIAL AGREEMENT WITH ARIZONA BOARD OF REGENTS

Motion was made by Supervisor Kunasek, seconded by Supervisor Wilson, and unanimously carried (3-0-2) to approve a non-financial agreement between the Arizona Board of Regents on behalf of the Arizona State University College of Nursing and the Maricopa County Human Services Department Head Start program to provide health screenings and education for children enrolled in Head Start. In return, the Maricopa County Head Start program will provide a sound clinical experience in an educational environment for assigned students. The term of this agreement is effective August 15, 2002, and terminates August 15, 2007. Either party may cancel this agreement with one semester's written notice to the other party. (C22030822)

SUCCESSOR-IN-INTEREST AGREEMENT FOR HEALTHY START PROGRAM SERVICES WITH U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES

Motion was made by Supervisor Kunasek, seconded by Supervisor Wilson, and unanimously carried (3-0-2) to approve and sign the Successor-In-Interest agreement for Healthy Start program services between the U.S. Department of Health and Human Services (HHS), Maricopa County and the Arizona Health Care Cost Containment System (AHCCCS). The agreement also contains a Memorandum of Understanding (MOU) regarding the rental property used by the Health Start program. (C8602165201)

APPOINT FOUR INTERIM MEMBERS TO CENTRAL ARIZONA RYAN WHITE TITLE I PLANNING COUNCIL

Motion was made by Supervisor Kunasek, seconded by Supervisor Wilson, and unanimously carried (3-0-2) to appoint the following interim members to the Central Arizona Ryan White Title I Planning Council.

- Michelle Barker, service provider, replacing Kathy Shain, for a term of March 1, 2001, through February 28, 2003;
- Feliciano Barrera, general public, replacing James Chambers, for a term of March 1, 2001, through February 28, 2003;
- Cyrano Jones, general public, replacing Jim Walloch, for a term of March 1, 2002, through February 28, 2004;
- Eric Moore, general public, replacing Rick Murphy, for a term of March 1, 2002, through February 28, 2004.

In accordance with Article IV, Sections 1, 2, 4 and 9, of the Bylaws of the Central Arizona Ryan White Title I Planning Council, adopted by the Board of Supervisors on June 5, 1996, and last amended by the Board on April 4, 2001, the Central Arizona Ryan White Title I Planning Council forwards the above recommended nominees for appointment as interim Planning Council Members. The Nominating Committee has identified and recommended the candidates to represent several categories consistent with the bylaws. These appointments were recommended by the Council's Nominating Committee, and approved by the Council on May 9, 2002. (C86021719) (ADM2153)

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AMENDMENT TO VARIOUS ARTICLES OF THE BYLAWS OF THE MARICOPA COUNTY RYAN WHITE TITLE I PLANNING COUNCIL

Motion was made by Supervisor Kunasek, seconded by Supervisor Wilson, and unanimously carried (3-0-2) to approve amendments to various Articles of the Bylaws of the Maricopa County Ryan White Title I Planning Council. Maricopa County has received funding since 1994 under Title I of the Ryan White Comprehensive AIDS Resources Emergency (CARE) Act of 1990, and the Ryan White CARE Act Amendments of 1996 and 2000. Recipients of Title I funds must establish a local Planning Council to set priorities for the allocation of funds within their Eligible Metropolitan Area. The current Ryan White Title I Planning Council Bylaws were approved by the Board of Supervisors on June 5, 1996, and most recently amended on April 4, 2001. The Ryan White Title I Planning Council recommends to the Board of Supervisors the following amendments to their bylaws:

- Articles I through XIV - correcting typos, updating committee names, adding references to Ryan White CARE Act amendments of 1996 and 2000, amending and clarifying language as appropriate. Included among these amendments are:
- Article IV, Section 5 restricting members to a maximum of three full terms.
- Amending Article VII, Sections 2, 3, 4, 5 and 5 - Extending the term of office for Planning Council Officers from one year to two years.
- Amending Article X, Section 5 - deleting the Governance, Finance and Unit Analysis Committees and adding the Consumer Planning/Assessment, Consumer Advocacy, Membership and Rules Committees.

The Title I Planning Council voted to approve these Bylaws amendments at their regularly scheduled meeting of May 9, 2002. (C86021726) (ADM2153)

REVENUE CONTRACT WITH CENTER FOR PREVENTION OF ABUSE AND VIOLENCE

Motion was made by Supervisor Kunasek, seconded by Supervisor Wilson, and unanimously carried (3-0-2) to approve a revenue contract with the Center for Prevention of Abuse and Violence ("Casa"), to fund Pregnancy Risk Assessment Monitoring System (PRAMS) epidemiological services. The term of the contract is from Board approval to January 30, 2003, for a contract amount not-to-exceed \$16,500. By approving this agenda item, the Board is authorizing a budget amendment that will increase MCDPH's revenue and expenditure levels by \$16,500 for FY 2003. (C86021731)

REVISED EASEMENT AGREEMENT WITH SALT RIVER PROJECT

Motion was made by Supervisor Wilson, seconded by Supervisor Kunasek, and unanimously carried (3-0-2) to approve and authorize the execution of a Revised Easement Agreement in consideration of one dollar (\$1.00) with Salt River Project (SRP) Agricultural Improvement and Power District, an agricultural improvement district organized and existing under the laws of the State of Arizona, an easement to construct, install, reconstruct, replace, remove, repair, operate and maintain electrical facilities for the transmission and distribution of electricity at the Southeast Facilities Juvenile Detention campus, together with the right of ingress and egress to said property. This easement was approved by the Board on February 20, 2002, but has been amended by SRP due to a revised legal description of the land subject to the easement. (C4002010001) (ADM418)

AGREEMENT WITH CITY OF PHOENIX

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Motion was made by Supervisor Wilson, seconded by Supervisor Kunasek, and unanimously carried (3-0-2) to approve and authorize the execution of an agreement with the City of Phoenix allowing encroachment for a private sewer line per agreement number RP-01028-05-S, at the 4th Avenue Jail. This is a revocable permit allowing encroachment for a private sewer line within the City of Phoenix right-of-way. Clerk's Note: This agreement is actually an amendment clarifying placement of the sewer line. (C40020170) (ADM418)

FOURTH ONE-YEAR RENEWAL OPTION FOR LEASE WITH CITY OF PHOENIX

Motion was made by Supervisor Wilson, seconded by Supervisor Kunasek, and unanimously carried (3-0-2) to approve the fourth one-year renewal option for Lease No. MC-10121, with the City of Phoenix, Lessee, that provides for a lease of County owned property for use as a homeless shelter. The lease is for premises at 1209-1217 West Madison Street, Phoenix, and is subleased to Central Arizona Shelter Services, which operates the shelter. The annual rental income is \$1.00. The one-year renewal term will commence on July 1, 2002, and expire on June 30, 2003. The lease contains a 90-day termination clause and two more one-year renewal options. (C7000090204)

CONTRACT FOR DESIGN-BUILD OF FACILITY MANAGEMENT DEPARTMENT MAINTENANCE FACILITY

Motion was made by Supervisor Wilson, seconded by Supervisor Kunasek, and unanimously carried (3-0-2) to authorize the Facilities Management Department (FMD) to proceed with contract award for the design-build of the FMD Maintenance Facility as initially authorized in agenda item C70020095. Project No. 2000106346 is in the FY 2002-2003 Detention Capital Improvement Plan budget recommendation and will be located at the Durango Complex near 27th Avenue and Esterbrooks Boulevard. FY 2001-2002 Budget Administrative Memo No. 7 requires Board of Supervisors' authorization to proceed with contract award. (C70021125) (C7002009501)

EXEMPTION TO FULLY FUNDED POSITION POLICY

Motion was made by Supervisor Wilson, seconded by Supervisor Kunasek, and unanimously carried (3-0-2) to authorize an exemption to the Fully Funded Position Policy to allow the Office of Management & Budget to establish for the Facilities Management Department four new Protective Services Officer positions for the new Durango Parking Facility and one new Quality Assurance position for the new Northwest Regional Court Facility, effective July 1, 2002. Funding for these positions is included in the Facilities Management's FY 2003 budget recommendation in the amount of \$160,649.44. (C7002113M) (ADM1827)

CALL FOR BIDS AND AWARD – CONSTRUCTION CONTRACT FOR JUVENILE PROBATION TEMPORARY OFFICE PROJECT

Motion was made by Supervisor Wilson, seconded by Supervisor Kunasek, and unanimously carried (3-0-2) to adopt plans and specifications, authorize a call for bids, and award a construction contract to the lowest responsible bidder provided that the bid is not more than 10% over the architect's estimate for "Juvenile Probation Temporary Office". Project No. 2001226781 is in the FY 2002-2003 Major Maintenance program budget recommendation, Fund 100, Agency 470, Org. 4732, Object Code 0915.01. The completion of this project is necessary because Juvenile Probation's existing facility located in Durango, building 1704, is in dire need of asbestos and lead paint abatement, and HVAC system replacement. Juvenile Probation employees require temporary office space while building 1704 is

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undergoing abatement and renovation. This project is for the temporary office space only in building 1916, located at 3345 West Durango Street in Phoenix. (C70030015)

EASEMENTS AND RIGHT-OF-WAY DOCUMENTS

Motion was made by Supervisor Kunasek, seconded by Supervisor Wilson, and unanimously carried (3-0-2) to approve easements, right-of-way documents, and relocation assistance for highway and public purposes as authorized by road file resolutions or previous Board of Supervisors action. (ADM2007)

- | | |
|-------------------|---|
| DD-9377
(TS) | R/W Dedication – Warranty Deed - Parcel No. 300-25-018, 021A, 020G - Waste Management of Arizona, Inc., a California corporation - for the sum of \$10.00. |
| DD-9377
(TS) | R/W Dedication - Purchase Agreement and Escrow Instructions – Parcel No. 300-25-018, 021A, 020G - Waste Management of Arizona, Inc., a California corporation. |
| 5128.053
(EGA) | Project No: 23012557 (69030) - Loop 303 (Intersection & Northern Avenue) – Agreement for Right of Entry - Parcel No. 501-04-03 - Adaman Irrigation Water Delivery District Number 36, a political subdivision of the State of Arizona - for the sum of \$1.00. |
| 5128.053
(EGA) | Project No: 23012557 (69030) - Loop 303 (Intersection & Northern Avenue) - Drainage Easement - Parcel No. 501-04-03 - Adaman Irrigation Water Delivery District Number 36, a political subdivision of the State of Arizona - for the sum of \$198.00. |
| 5128.053
(EGA) | Project No: 23012557 (69030) - Loop 303 (Intersection & Northern Avenue) – Temporary Construction Easement - Parcel No. 501-04-03 - Adaman Irrigation Water Delivery District Number 36, a political subdivision of the State of Arizona – for the sum of \$265.00. |
| 5128.053
(EGA) | Project No: 23012557 (69030) - Loop 303 (Intersection & Northern Avenue) - Purchase Agreement and Escrow Instructions - Parcel No. 501-04-03 - Adaman Irrigation Water Delivery District Number 36, a political subdivision of the State of Arizona. |

ADOT ABANDONMENT OF ROAD FILE A253 TO MARICOPA COUNTY

Motion was made by Supervisor Kunasek, seconded by Supervisor Wilson, and unanimously carried (3-0-2) to accept the unincorporated sections of the Price Freeway (State Route 101 Loop, frontage road) at Palomino Road, El Alba Way, and Colt Road, all east of the sound wall of the northbound State Route 101 Loop, frontage road, as requested by Arizona Department of Transportation. The State requires the County to accept these proposed areas of abandonment by waving A.R.S. §28-7209A and B, which is the advance four year notice of abandonment and payment quality report. (C64022865) (F23044)

CONSULTANT CONTRACTS FOR INTELLIGENT TRANSPORTATION SERVICES

Motion was made by Supervisor Kunasek, seconded by Supervisor Wilson, and unanimously carried (3-0-2) to approve on-call consultant services contracts for Intelligent Transportation Systems services with the following, in amounts not-to-exceed \$125,000, each, during the contract period with an option to renew for an additional one year period. The contracts shall be in effect from the date of execution through June 30, 2003.

- a) OZ Engineering, LLC, Contract No. CY 2002-65 (C64022715)

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- b) Parsons Brinckerhoff Quade & Douglas, Inc., Contract No. CY 2002-66 (C64022725)

REIMBURSEMENT TO QUEEN CREEK WATER COMPANY

Motion was made by Supervisor Kunasek, seconded by Supervisor Wilson, and unanimously carried (3-0-2) to approve reimbursement to Queen Creek Water Company for costs incurred for the design and relocation of their facilities in conflict with Maricopa County Department of Transportation (MCDOT), Project No. 16213, PM 10 Roads (Phase 2) in SE area. The cost may not exceed the current estimate amount of \$2,400 by more than 10%. The Queen Creek Water Company relocation includes one fire hydrant on Brooks Farm Road/Power Road. (C64022735) (ADM2000-006)

INTERGOVERNMENTAL AGREEMENT WITH THE TOWN OF GILBERT

Motion was made by Supervisor Kunasek, seconded by Supervisor Wilson, and unanimously carried (3-0-2) to approval of an Intergovernmental Agreement between the Maricopa County Department of Transportation and the Town of Gilbert. This agreement is in regard to the construction of improvements to Gilbert Road, from Williams Field Road to Ray Road. The Town of Gilbert will lead the construction, and the County will share in the costs. The county cost is \$2,200,000. The County will pay \$1,900,000 in FY 2003 and \$300,000 in FY 2004; under Work Order No. 68956. (C64022742)

INTERGOVERNMENTAL AGREEMENTS WITH CITIES OF CHANDLER AND MESA

Motion was made by Supervisor Kunasek, seconded by Supervisor Wilson, and unanimously carried (3-0-2) to approval intergovernmental agreements between the Maricopa County Department of Transportation and the Cities of Chandler and Mesa. The agreements are regarding the AZTech Smart Corridors Program, and requires the cities to assume operation and maintenance of all smart corridor equipment that will be constructed within the cities by the County as part of the AZTech Smart Corridors project. The County will be upgrading ten arterial corridors in each city that will include the installation of vehicle detection systems (VDS), closed circuit TV (CCTV), and changeable message signs (CMS). The corridor upgrades are currently under design and should be constructed in FY's 2003 through 2005. These agreements makes the cities responsible for the maintenance and operation of all equipment that will be installed within the limits of each city.

- a) City of Chandler - locations of the equipment is as follows: (C64022752)

- i. Chandler Boulevard, east of Kyrene – VMS
- ii. Arizona Avenue & Chandler Blvd. – CCTV
- iii. Arizona Avenue & Warner Road – CCTV
- iv. Arizona Avenue & Elliot Road – CCTV
- v. Chandler Blvd. & 54th Street – CCTV
- vi. Chandler Blvd. & Loop 101 - 2 CCTVs

- b) City of Mesa – locations of the equipment is as follows: (C64022762)

- i. Gilbert Rd. & McKellips Rd. – CCTV
- ii. Gilbert Rd. & Main St. - CCTV, VDS
- iii. Country Club & Brown Rd. – CCTV
- iv. Country Club & Baseline Rd. – VDS
- v. Country Club & Southern Ave. – VDS

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- vi. Country Club & First St. – VDS
- vii. University & Alma School – VDS
- viii. University & Lazona – VDS
- ix. University & Greenfield – VDS
- x. Gilbert Rd. & Baseline Rd. – VDS
- xi. Gilbert Rd. & Southern - VDS

INTERGOVERNMENTAL AGREEMENT (ENTENTE AGREEMENT) WITH TOWN OF CAVE CREEK

Motion was made by Supervisor Kunasek, seconded by Supervisor Wilson, and unanimously carried (3-0-2) to approve Intergovernmental Agreement between Maricopa County and the Town of Cave Creek for the exchange of services or reimbursement of services (Entente Agreement). The agreement will not exceed five years unless extended by appropriate actions by the County and the Town. Either party may terminate this agreement at any time prior to the end of its duration by furnishing the other party with 30 days written notice. This agreement looks beyond jurisdictional or geographical boundaries and instead focuses on the maintenance task and availability of the most economical resources. It provides the traveling public with a more seamless transportation system via a cooperative highway maintenance program. This agreement would specifically benefit areas between the County and the Town where road maintenance could be most effectively done by the other party due to scheduled work within the immediate area. This agreement could occur with "routine" or "emergency" roadway conditions. Each individual maintenance task performed by or for the Town shall be handled via a "Letter of Agreement" (LOA) approved and signed by the Town's Town Manager and the County's Department of Transportation Director or their designates. The individual LOA would institute a tracking/accounting mechanism that would specify the particular services contracted for and show that services exchanged are of similar value. Nothing in this agreement shall be interpreted to enlarge or expand the authority of either party. Both parties, at all times are subject to existing County and Town policies, such as planning, budgeting, purchasing, etc. (C64022772)

CONTRACTS FOR ON-CALL SURVEYING SERVICES

Motion was made by Supervisor Kunasek, seconded by Supervisor Wilson, and unanimously carried (3-0-2) to approve the following contracts for on-call surveying services in an amount not-to-exceed \$125,000, each contract. The contracts shall be in effect from the date of execution through June 30, 2003, with an option to renew for an additional one-year period.

- a) Wood, Patel & Associates, Inc., Contract No. CY 2002-69. (C64022785)
- b) RBF Consulting, Contract No. CY 2002-68. (C64022795)

CONTRACT FOR ON-CALL POLICY ANALYSIS AND INTERGOVERNMENTAL COORDINATION WITH C.L. WILLIAMS CONSULTING, INC.

Motion was made by Supervisor Kunasek, seconded by Supervisor Wilson, and unanimously carried (3-0-2) to approve Contract No. CY 2002-67 for on-call policy analysis and intergovernmental coordination as it relates to regional transportation issues with C.L. Williams Consulting, Inc. in an amount not-to-exceed \$125,000 during the contract period. The contract shall be in effect from the date of execution through June 30, 2003, with an option to renew for an additional one year period. (C64022805)

RESOLUTION FOR SUBMISSION OF PROJECTS FOR CONSIDERATION IN THE ARIZONA DEPARTMENT OF TRANSPORTATION TEA-21 ENHANCEMENT PROGRAM, ROUND X

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Motion was made by Supervisor Kunasek, seconded by Supervisor Wilson, and unanimously carried (3-0-2) to adopt MCDOT Resolution 02-06 pertaining to the submission of projects for consideration in the Arizona Department of Transportation TEA-21 Enhancement Program, Round X. As required by the State, a resolution must be submitted before the project can be considered for funding. MCDOT intends to submit the Gillespie Dam Bridge Restoration Project for funding in the amount of \$471,500 in FYE June 30, 2003. (C6402281M) (ADM2000)

CONTRACTS FOR ON-CALL DESIGN CONSULTING SERVICES

Motion was made by Supervisor Kunasek, seconded by Supervisor Wilson, and unanimously carried (3-0-2) to approve the following contracts for on-call design consulting services in an amount not-to-exceed \$250,000, each contract. The contracts shall be in effect from the date of execution through June 30, 2003, with an option to renew for an additional one-year period.

- a) Entranco, Contract No. CY 2002-70. (C64022825)
- b) Michael Baker, Contract No. CY 2002-71. (C64022835)

CALL FOR BIDS AND AWARD

Motion was made by Supervisor Kunasek, seconded by Supervisor Wilson, and unanimously carried (3-0-2) to approve the solicitation of bids and award of contracts to the lowest responsive bidders, providing that the lowest responsive bids do not exceed the engineer's estimate by more than 10% for the following projects. Funds have been budgeted in the Department's Transportation Improvement Program for FY 2003. This approval is contingent upon the Board's adoption of the FY 2003 Budget.

- a) Construction of PM 10 Roads (Ph 2) in the SW area, Work Order No. 16212. This work will consist of paving a total of 3.57 miles of existing local dirt roads at 8 various locations, to a nominal 7.2 meter (24 foot) paved width, in order to comply with EPA mandates to reduce PM10 (dust) pollution, and to minimize impacts on residents and existing improvements. The proposed pavement structure will consist of a soil cement base course, 150 mm (6") thick, and covered with a double application of chip seal surfacing, using rubberized asphalt as the binder. (C64022845)
- b) Construction of PM 10 Roads (Ph 2) in the SE area, Work Order No. 16213. This work will consist of paving a total of 2.54 miles of existing local dirt roads at 11 various locations, to a nominal 7.2 meter (24 foot) paved width, in order to comply with EPA mandates to reduce PM10 (dust) pollution, and to minimize impacts on residents and existing improvements. The proposed pavement structure will consist of a soil cement base course, 150 mm (6") thick, and covered with a double application of chip seal surfacing, using rubberized asphalt as the binder. (C64022855)

RETROACTIVE PAY TO CORRECT CALCULATION ERRORS

Motion was made by Supervisor Kunasek, seconded by Supervisor Wilson, and unanimously carried (3-0-2) to approve a payment of \$1,037.60 to TIP Database Specialist David Benton to correct errors in the calculations of salary advancements previously approved:

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- Effective October 2, 2000 – correct pay rate from \$24.56 to \$25.17 through pay period ending May 27, 2001;
- Effective May 28, 2001 – correct pay rate from \$25.07 to \$25.17 through pay period ending September 30, 2001;
- Effective October 1, 2001 – correct pay rate from \$25.70 to \$25.80 through pay period ending June 3, 2002.

The retroactive pay will come from the Engineering Division temporary pay budgeted funds and will not exceed \$1,037.60. (C64022885) (ADM3308)

LITIGATION FOR PURPOSE OF RECOVERING EXPENDITURES FOR REPLACEMENT OF DEFECTIVE PAVEMENT

Motion was made by Supervisor Kunasek, seconded by Supervisor Wilson, and unanimously carried (3-0-2) to authorize litigation against some or all of the following parties for the purpose of recovering expenditures for replacement of defective pavement: Achen-Gardner Construction Company Inc., Ricker-Atkinson-McBee & Associates, Inc., Stanley Consultants, Inc., Speedy and Associates, Vulcan Materials Company, Earth Tech, Inc., and ATL, Inc. (Discussed in Executive Session of April 15, 2002.) (C64022895) (ADM413)

MARICOPA INTEGRATED HEALTH SYSTEMS PERSONNEL AGENDA

Motion was made by Supervisor Kunasek, seconded by Supervisor Wilson, and unanimously carried (3-0-2) to approve Maricopa Integrated Health Systems Personnel Agenda. (List on file in the Clerk of the Board's Office.)

FEE-FOR-SERVICE CONTRACT WITH CHRISTIAN FAMILY CARE AGENCY, INC.

Motion was made by Supervisor Kunasek, seconded by Supervisor Wilson, and unanimously carried (3-0-2) to approve new fee-for-service contract with Christian Family Care Agency, Inc. for the provision of outpatient behavioral health evaluation, counseling, and related services for the period June 19, 2002, through January 31, 2005. Payment is from a pool not-to-exceed \$1,000,000 established by agenda C60002081 to fund all providers of outpatient behavioral health services. (C60020891)

CONTRACT WITH XL MANAGEMENT COMPANY LLC dba PEPPERTREE SQUARE ASSISTED LIVING

Motion was made by Supervisor Kunasek, seconded by Supervisor Wilson, and unanimously carried (3-0-2) to approve a new contract with XL Management Company L.L.C., dba Peppertree Square Assisted Living, for the provision of assisted living services, in units. Contract term will be upon execution through September 30, 2004, for an amount not-to-exceed \$184,000. (C60021021)

CONTRACT WITH TUNGLAND CORPORATION

Motion was made by Supervisor Kunasek, seconded by Supervisor Wilson, and unanimously carried (3-0-2) to approve a new contract with Tugland Corporation to provide intermediate level behavioral health group home services for the term July 1, 2002, through November 30, 2004, for an amount not-to-exceed \$12,402,000. This contract has a 90-day termination for convenience provision. (C60021051)

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IN-OFFICE DENTAL SERVICES CONTRACTS

Motion was made by Supervisor Kunasek, seconded by Supervisor Wilson, and unanimously carried (3-0-2) to approve an increase of \$7,138,370 to the not-to-exceed pool of \$7,300,000 for In-Office Dental Services contracts for an aggregate NTE of \$14,438,370. The original not-to-exceed pool was established and approved by the Board of Supervisors on November 15, 2000, on agenda number C60011211. This increase will fund In-Office Dental Services contracts for Maricopa Integrated Health System-Health Plans (MIHS-HP) members for a two-year period through July 31, 2004. This increase will cover a 10% increase in member growth, any increase in service rates and additional contracts approved under the open and continuous Review of Qualifications (6002003-ROQ). Also approve an additional 8 slots from C60022401 through C60022471. There are 3 slots remaining from the 15 approved by the Board of Supervisors on December 19, 2001 (C60020451ZZ). (C60021061)

AMENDMENT TO CONTRACT WITH ARIZONA DEPARTMENT OF HEALTH SERVICES

Motion was made by Supervisor Kunasek, seconded by Supervisor Wilson, and unanimously carried (3-0-2) to approve Amendment No. 3 to the revenue contract with the Arizona Department of Health Services (ADHS Contract No. 156007) for medical and dental primary care services to increase the not-to-exceed amount by \$157,071.69, from \$2,111,198 to \$2,268,269.69. There is no change in the contract term of July 1, 2000, through June 30, 2002. This program is funded by the Tobacco Tax Primary Care Program, Part A. The contract may be renewed for an additional three one-year periods or a portion thereof, and may be terminated by MIHS with mutual consent of both parties with 60-days written notice. ADHS may terminate the contract for cause with 10-days written notice. (C9001005104)

AMENDMENT TO INTERGOVERNMENTAL/REVENUE AGREEMENT WITH GILA COUNTY

Motion was made by Supervisor Kunasek, seconded by Supervisor Wilson, and unanimously carried (3-0-2) to approve Amendment No. 1 to the Intergovernmental/Revenue Agreement between Maricopa County and Gila County, to extend the term of the agreement, and revise and increase the reimbursement to MIHS. Effective July 1, 2002, the agreement will be extended through June 30, 2003, and the reimbursement will be \$585 per diem. This agreement provides court ordered mental health evaluations and treatments to Gila County clients. (C9001053201)

AMENDMENT TO CONTRACT WITH MEDICAL PROFESSIONAL ASSOCIATES OF ARIZONA, P.C. (MedPro)

Motion was made by Supervisor Kunasek, seconded by Supervisor Wilson, and unanimously carried (3-0-2) to approve Amendment No. 1, effective April 1, 2002, to the contract with Medical Professional Associates of Arizona, P.C. (MedPro) to establish and compensate the positions of Medical Directors within the Comprehensive Health Center (CHC). The not-to-exceed amount would be increased \$137,500. The term of the contract remains November 1, 2001, through October 31, 2006, and all other provisions of the contract remain the same. (C9002059101)

PURCHASE OF PREMIS APPLICATION SOFTWARE AND ASSOCIATED HARDWARE

Motion was made by Supervisor Kunasek, seconded by Supervisor Wilson, and unanimously carried (3-0-2) to approve the purchase of Premis application software and associated hardware in an amount not-to-exceed \$152,004, to upgrade the Maricopa Integrated Health System (MIHS) billing system. The Office of Management and Budget has reviewed all supporting information and the Equipment Purchase Request Form-Exemption to Budget Balancing Plan has been submitted. (C90020841) (ADM2100-002)

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AMEND ACTION REGARDING INTERQUAL PROPRIETARY CLINICAL APPROPRIATION REVIEW SYSTEM

Motion was made by Supervisor Kunasek, seconded by Supervisor Wilson, and unanimously carried (3-0-2) to amend the action taken June 10, 2002, regarding the InterQual Proprietary Clinical Appropriation Review System under agenda item No. C90021031. The sole source licensing agreement is with McKesson Health Solutions LLC, not InterQual, Inc. as previously indicated. (C9002103101)

CALL FOR BIDS AND AWARD – UPGRADING FUEL OIL PIPING AND PUMPS AT THE CENTRAL PLANT OF THE MARICOPA MEDICAL CENTER - WITHDRAWN

Authorize a call for bids and award a construction contract for upgrading fuel oil piping and pumps at the Central Plant of the Maricopa Medical Center (MMC), 2601 East Roosevelt Street; Phoenix, to the lowest responsive responsible bidder, provided that the bid is not more than 10% over the engineer's estimate. A new fuel oil piping distribution system and pumps are required to allow proper operation of the fuel oil system necessary for emergency generators operation during an electric utility outage and/or boilers during a natural gas utility outage. The project will also provide new fuel oil meters for each of the three emergency generators, two steam boilers, and for the two laundry room dryers for compliance with Environmental Protection Agency/Maricopa County Air Quality (EPA/MCAQ) regulations for fuel metering/reporting. The project is to reach substantial completion within 100 calendar days after the notice-to-proceed. (C90021105)

Clerk of the Board Fran McCarroll announced that this item was withdrawn.

INTERGOVERNMENTAL LEASE AGREEMENT WITH ARIZONA DEPARTMENT OF ECONOMIC SECURITY

Motion was made by Supervisor Kunasek, seconded by Supervisor Wilson, and unanimously carried (3-0-2) to approve a new intergovernmental lease agreement between Maricopa County, Lessor, and the Arizona Department of Economic Security (ADES) of the State of Arizona, Lessee, for a 4,028 square foot portion of the first floor of the Maricopa Integrated Health System (MIHS) Hospital located at the Maricopa Medical Center, 2601 East Roosevelt Street, Phoenix. The lease term commences on July 1, 2002, and continues thereafter on a month-to-month basis until terminated by either party with 60-days written notice. ADES will pay \$4,476 at the commencement of the lease for the first year and \$1.00 per year thereafter for the use of the space. (C90021164)

PURCHASE OF PATHWAYS HEALTH SCHEDULER SITE LICENSE AND INCREASE IN ANNUAL SOFTWARE MAINTENANCE FEE

Motion was made by Supervisor Kunasek, seconded by Supervisor Wilson, and unanimously carried (3-0-2) to approve \$84,325 for purchase of Pathways Health Scheduler site license and \$12,656.25 increase in annual software maintenance fee for Pathways Health Scheduler. MIHS currently uses this software for patient scheduling. MIHS holds license for 50 users, this purchase would upgrade the license to unlimited users at the MIHS site. The Office of Management and Budget has reviewed supporting information and Equipment Purchase Request Form. Exemption to Budget Balancing Plan has been submitted. (C9002561M) (ADM2100-002)

200 RESIDENT CONTRACTS WITHIN 208 SLOTS

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Motion was made by Supervisor Kunasek, seconded by Supervisor Wilson, and unanimously carried (3-0-2) to approve 200 resident contracts within 208 slots at Maricopa Medical Center (MMC) as (list on file with the Office of the Clerk of the Board of Supervisors) for the 2002-2003 academic year for an aggregate amount not-to-exceed \$7,698,751.60. All resident salaries for academic year 2002/2003 remain unchanged from the previous year. Specific salaries are: PGY 1: \$35,000.00 PGY 2: \$37,000.00 PGY 3: \$39,000.00 PGY 4: \$41,000.00 PGY 5: \$44,000.00 PGY 6: \$45,800.00: OB/GYN salaries are slightly higher than the above to meet the salaries being offered by our partner in the OB/GYN program, St. Joseph's Hospital. OB/GYN salaries are: PGY 1: \$38,700.00 PGY 2: \$40,170.00 PGY 3: \$42,030.00 PGY 4: \$44,259.00 PGY 5: \$45,669.00. The primary revision to the resident contract this year is the addition of an appeal process for residents who will no longer be part of the program. (C90025621ZZ) (C90025631 through C90027701)

AGREEMENT WITH CITY OF GLENDALE

Motion was made by Supervisor Kunasek, seconded by Supervisor Wilson, and unanimously carried (3-0-2) to approve an agreement between Maricopa County and the City of Glendale for settlement of reimbursement for services provided to Glendale City Prisoners between November 18, 2000, and May 30, 2002. (Discussed in Executive Session on June 24, 2002.) (C90027712) (ADM409)

APPOINT PATRICK VAN ZANEN TO THE BOARD OF HEALTH

Motion was made by Supervisor Kunasek, seconded by Supervisor Wilson, and unanimously carried (3-0-2) to appoint Patrick Van Zanen to the Board of Health as an At-Large Member. The term of the appointment will be from June 26, 2002, through January 1, 2005. (C02020167) (ADM2101)

PUBLIC HEARING SCHEDULED - PUBLIC HEALTH

Motion was made by Supervisor Kunasek, seconded by Supervisor Wilson, and unanimously carried (3-0-2) to schedule a public hearing for 9:00 a.m., Wednesday, July 24, 2002, to approve a fee increase for Sexually Transmitted Disease (STD) services provided by the Department of Public Health. The fee would increase from \$10 per client visit to \$20 per client visit, and will produce approximately \$135,500 in additional revenue. The recommended increased fee does not exceed the actual cost of the service. (C8602170M) (ADM2151)

PUBLIC HEARING SCHEDULED - AMENDED DRAINAGE REGULATIONS

In accordance with the authority noted in A.R.S., Section 30 and 36, A.R.S. §251.05 and A.R.S. §251.08, motion was made by Supervisor Kunasek, seconded by Supervisor Wilson, and unanimously carried (3-0-2) to schedule a public hearing for 9:00 a.m., Wednesday, July 24, 2002, to adopt the proposed Amended Drainage Regulations for the unincorporated area of Maricopa County. The Drainage Regulations and fee schedules were adopted independently of each other. This action will merge the two documents together into one document without changing the contents of either document. A copy of the Drainage Regulations and fee schedules are included with this request to set a hearing date, and to publish the notice of the meeting at least fifteen (15) days prior to the public hearing. (C69021126) (ADM1915)

HEARING SET - PLANNING AND ZONING CASES

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Motion was made by Supervisor Kunasek, seconded by Supervisor Wilson, and unanimously carried (3-0-2) to schedule a public hearing on any Zoning and Building Code cases in the unincorporated areas of Maricopa County for July 24, 2002, at 9:00 a.m. in the Board of Supervisors Auditorium, as follows:

Z2000-175; Z2001-038; A2001-077; Z2002-003; Z2002-018; Z2002-040; Z2002-042; TA2002-003

MINUTES

Motion was made by Supervisor Kunasek, seconded by Supervisor Wilson, and unanimously carried (3-0-2) to approve minutes of the Board of Supervisors meetings held May 1 and 15, 2002.

PRECINCT COMMITTEEMEN

There were no requests to approve the appointment or removal of precinct committeemen pursuant to A.R.S. 16-231.B. (ADM1701)

SECURED TAX ROLLS

Motion was made by Supervisor Kunasek, seconded by Supervisor Wilson, and unanimously carried (3-0-2) to approve requests from the Assessor for corrections of the Secured Tax Rolls. (ADM705)

Tax Roll	From Resolution No.	To Resolution No.	Net Result
1999	6732	6758	- \$6,605.16
1999	6759	6804	- \$6,739.14
2000	8921	9019	-\$106,379.84
2000	9020	9121	-\$3,419.90
2001	32868	32927	-\$65,238.62
2001	32928	33047	-\$196,568.20

OFFICIAL APPOINTMENTS AND OATHS OF OFFICE - CLERK OF THE SUPERIOR COURT

Motion was made by Supervisor Kunasek, seconded by Supervisor Wilson, and unanimously carried (3-0-2) to authorize the Official Appointments and Oaths of Office of Maria Acuna, Paula Collins, Dorothy Davis, Deidra Lopez, Connie Ocell, and Elva Wilbourn, as special deputy clerks in the Office of the Clerk of the Superior Court.

VOLUNTARY CONTRIBUTIONS TO BE MADE BY THE ARIZONA STATE RETIREMENT SYSTEM IN LIEU OF PROPERTY TAXES FOR THE 2002 TAX YEAR

Motion was made by Supervisor Kunasek, seconded by Supervisor Wilson, and unanimously carried (3-0-2) to accept computations representing the amount of voluntary contributions to be made by the Arizona State Retirement System in lieu of property taxes for the 2002 tax year, in accordance with A.R.S. §42-11102C. The Arizona State Retirement System 2002 Contribution Calculations for Parcel 118-37-021N is \$20,517,313. The System now occupies 22.66% of the building, which is exempt, up from 20.10% in 2001. Total FCV/LPV of property is \$26,528,486. The market value of the property owned by the retirement system has been determined using standard appraisal techniques. The computations are based on the same methods of assessment used in calculating ad valorem taxes of similar properties in the County for the current tax year. (ADM300)

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OFF-TRACK PARI-MUTUEL WAGERING PERMITS

Motion was made by Supervisor Kunasek, seconded by Supervisor Wilson, and unanimously carried (3-0-2) to approve applications filed by Turf Paradise Race Course for Off-Track Pari-mutuel Wagering Permits for telecasting at the following locations through May 31, 2003. (ADM151)

- Gallinger's Sports Lounge, 12417 West Glendale Avenue, Glendale
- New River Station, 47020 North Black Canyon Highway, New River
- Grace Inn, 10831 South 51st Street, Phoenix
- McCarthy's Pub, 10050 West Bell Road, Sun City

POLLUTION CONTROL CORPORATION OF POLLUTION CONTROL REFUNDING REVENUE BONDS (EL PASO ELECTRIC COMPANY PALO VERDE PROJECT)

Motion was made by Supervisor Kunasek, seconded by Supervisor Wilson, and unanimously carried (3-0-2) to adopt the following captioned resolution, on file in the Office of the Clerk of the Board of Supervisors and retained in accordance with Arizona State Libraries, Archives, and Public Records (ASLAPR). (ADM5134)

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF MARICOPA, ARIZONA, APPROVING THE ISSUANCE BY MARICOPA COUNTY, ARIZONA, POLLUTION CONTROL CORPORATION OF POLLUTION CONTROL REFUNDING REVENUE BONDS (EL PASO ELECTRIC COMPANY PALO VERDE PROJECT) 2002 SERIES A.

DUPLICATE WARRANTS

Necessary affidavits having been filed, pursuant to A.R.S. §11-632, motion was made by Supervisor Kunasek, seconded by Supervisor Wilson, and unanimously carried (3-0-2) to approve issuance of duplicate warrants to replace county warrants and school warrants which were either lost or stolen. (ADM1823) (ADM3809)

COUNTY

Name	Warrant	Fund	Amount
Ryan C. Burgett	C050358	Payroll	\$318.60
Chad W. Dixon	047310	232	\$1,443.20
Jill Kent	C046680	General	\$722.97
Anthony Lopisi	045836		\$95.67
Jaclyn P. Murray	C050450	General	\$590.92

SCHOOL

Name	School	Warrant	Amount
Az School Administrators	Roosevelt #66	42-0076013	\$16.50
Buddy's All-Stars Inc.	Agua Fria	42-0129621	\$583.74
Amazon, Com. Inc.	Murphy #21	42-0090693	\$278.65
Leda J. Bell	Fowler	12-0132028	\$147.76
Karen Carlson	Roosevelt #66	12-0126448	\$179.16
Daniel B. Christman	Mesa	72-0078530	\$1,789.70

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Daniel B. Christman	Mesa	72-0078531	\$8,046.08
Jaime Gale	Mesa	72-0020956	\$1,214.16
Charlotte L. Ingham	Mesa	72-74861	\$1,161.67
Joanie S. King	Mesa	72-0074179	\$372.75
Karyn L. Kuhlman	Mesa	72-77336	\$4,390.22
Carrie Lara	Alhambra	12-128996	\$258.69
Gayle Lee	East Valley Institute	42-82936	\$50,689.24
Noel R. Lee	Mesa	72-71446	\$4,865.58
Verity E. Lerman	Mesa	72-0062984	\$224.64
Natalie Moore	Dysart #89	12-0149151	\$134.78
Frank Medina	Mesa	72-0070875	\$85.00
Verizon Wireless Mess.	Roosevelt #66	42-0110705	\$862.47
Katrin Neises	Pendergast	12-138500	\$956.31
Ana Nieves	Superintendent/Schools	12-148387	\$47.56
Janice J. Nowell	Mesa	72-0078365	\$1,426.33
Lesa Page	Roosevelt #66	12-0142902	\$148.22
Julieta Perez	Madison	12-0141875	\$499.85
Ayesha Perez	Mesa	72-80605	\$150.85
Renee B. Ranney	Mesa	72-64938	\$224.64
Joe C. Sermenio	Phoenix #1	12-0133975	\$282.94
Ashley Shaub	Mesa	72-0078724	\$226.24
Jamie R. Smith	Osborn	12-0127562	\$691.72
Kim C. Snyder	Mesa	72-0079636	\$196.22
Sean Spellecy	Superintendent/Schools	42-0142992	\$320.00
Brian Willner	Litchfield #79	12-0137622	\$860.46
Angelica Zamudio	Mesa	72-0080583	\$304.26

STALE DATED WARRANTS

Motion was made by Supervisor Kunasek, seconded by Supervisor Wilson, and unanimously carried (3-0-2) to find that claims presented pursuant to A.R.S. §11-644 are legitimate and that claimants have demonstrated good and sufficient reason for failure to present the original check or warrant within the allotted time. Accordingly, the claims are allowed.. (ADM1816)

Valley of the Sun United Way	\$11,606.66	Jewell Y. Manley	\$80.85
Sabiha Kazini/Cenlar	\$64.00	John T. Lotardo	\$47.90
Earl Ricker/Casa Capricorn	\$250.00		

SETTLEMENT OF TAX CASES

Motion was made by Supervisor Kunasek, seconded by Supervisor Wilson, and unanimously carried (3-0-2) to approve the settlement of tax cases, list dated June 26, 2002. (ADM704)

1999
1999/2000
2001
 CV 00-022019
2001/2002

2002
 CV 02-000747
 CV 01-021695
 ST 01-000141
2002/2003
 TX 02-000026

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CLASSIFICATION CHANGES

Pursuant to A.R.S. §42-12054, motion was made by Supervisor Kunasek, seconded by Supervisor Wilson, and unanimously carried (3-0-2) to accept the Assessor's recommendations to change classification and/or reduce the valuation of certain properties which are now owner occupied, as follows. (ADM723)

PARCEL NO.	YEAR	OWNER	CLASS FROM	CLASS TO
118-04-069	1999	Blanca Perales	LC/6	LC/5
118-04-069	2000	Blanca Perales	LC/4	LC/3
118-04-069	2001	Blanca Perales	LC/4	LC/3
167-27-728	1999	Erma Anderson	LC/6	LC/5
167-27-728	2000	Erma Anderson	LC/4	LC/3
167-27-728	2001	Erma Anderson	LC/4	LC/3
200-78-774B	1999	Micheal A Shane	LC/6	LC/5
200-78-774B	2000	Micheal A Shane	LC/4	LC/3
200-78-774B	2001	Micheal A Shane	LC/4	LC/3
501-88-796	1999	David Kump	LC/6	LC/5
501-88-796	2000	David Kump	LC/4	LC/3
501-88-796	2001	David Kump	LC/4	LC/3

COMPROMISES

Motion was made by Supervisor Kunasek, seconded by Supervisor Wilson, and unanimously carried (3-0-2) to accept the requested compromises as payment in full for the following cases: (Discussed in Executive Session held June 10, 2002.) (ADM407)

Miguel Alvarez, Sr.	\$ 1,525.85
Joaquin Silva Barajas	7,500.00
Earnest Chesser	210,000.00
Betty Cosentino	1,500.00
Heather Hazel	1,500.00
James Herd	20,000.00
Charles Hughes	1,250.00
Connie Johnson	12,500.00
Joshau Juan	2,500.00
Maghony Kizzee	750.00
Brittani Marquand	4,500.00
Sandy Miranda	4,500.00
Noah O'Conner	4,000.00
John Pelton	400.00
Celestina Piedra	3,987.04
Dora Rivera	5,793.39
Maria Rocio Rodriguez	51,581.43
Estate of Katherine Seaton	20,750.80
Katherine Skullr	11,500.00
Gladys Smith	28,000.00
Jerry Sockman	500,000.00
Jesus Valentin	600.00

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WRITE-OFF

Motion was made by Supervisor Kunasek, seconded by Supervisor Wilson, and unanimously carried (3-0-2) to accept the requested write-offs as payment in full for the following. (Discussed in executive session held June 10, 2002.) (ADM407)

Marxo Dixon	\$ 180.00
Kevin Sidley	1,092.54

A D D E N D U M

ADDITIONAL GRANT FUNDS FOR THE CRIME VICTIM COMPENSATION PROGRAM

Motion was made by Supervisor Kunasek, seconded by Supervisor Wilson, and unanimously carried (3-0-2) to approve receipt of additional grant funds from the Arizona Criminal Justice Commission for FY 2001-2002 Crime Victim Compensation Program in the amount of \$30,085. The Board of Supervisors has previously approved grant funding in the amount of \$1,221,548. This Certified Assurances Agreement Certification Number VC-02-056 shall commence on July 1, 2001, and will terminate on June 30, 2002. The additional grant funds may not be expended for any indirect costs that may be incurred by the County Attorney's Office or Maricopa County for the administration of this grant. By approving this agenda item, the Board will be authorizing the acceptance of additional grant funding thus causing a budget amendment to be authorized. Grant revenues are not "local revenues" for the purpose of the constitutional expenditure limitation, and therefore expenditure of the funds is not prohibited by the budget law. This budget adjustment does not alter the budget constraining the expenditure of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105. (C1901045301)

PUBLIC HEARING ON PRECINCT COMMITTEEMEN BALLOT POSITIONS

Motion was made by Supervisor Kunasek, seconded by Supervisor Wilson, and unanimously carried (3-0-2) to set a public meeting for Precinct Committeemen Ballot Positions, pursuant to A.R.S. §16-464(B), for 10:00 a.m., Friday, June 28, 2002, at 2025 East University Drive, Phoenix, Arizona 85034. The public meeting is to draw for ballot positions of candidates for the office of Precinct Committeeman in precincts having more candidates than positions to be elected. (C21020028) (ADM1709)

AMENDMENT TO IGA WITH CHANDLER PUBLIC SCHOOLS TO INCREASE THE BUDGET

Motion was made by Supervisor Kunasek, seconded by Supervisor Wilson, and unanimously carried (3-0-2) to approve Amendment No. 2 to expense Intergovernmental Agreement (IGA) with Chandler Public Schools to increase the reimbursable budget by \$116,052 (from \$127,033 to \$243,085) to provide Workforce Investment Act (WIA) Youth program services during FY 2003. The amendment also extends the term of the IGA one year, from June 30, 2002, until June 30, 2003. Funding for this contract provided to Maricopa County by the Arizona Department of Economic Security (ADES) under the federal Workforce Investment Act (WIA) as administered by the U.S. Department of Labor. This agreement does not contain any County general funds. (C2202118202)

AMENDMENT TO IGA WITH MESA PUBLIC SCHOOLS TO INCREASE THE BUDGET

Motion was made by Supervisor Kunasek, seconded by Supervisor Wilson, and unanimously carried (3-0-2) to approve Amendment No. 2 to the Intergovernmental (expense) Agreement (IGA) with Mesa Public Schools to increase the reimbursable budget by \$154,728 (from \$156,044 to \$310,772) for the provision

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of Workforce Investment Act (WIA) Youth program services during FY 2002-2003. The amendment also extends the term of the IGA one year, from July 1, 2002, through June 30, 2003. Funding for this contract is provided to Maricopa County by the Arizona Department of Economic Security (ADES) under the federal Workforce Investment Act as administered by the U.S. Department of Labor. This agreement does not contain any County general funds. (C2202121202)

REIMBURSEMENT SECURED FOR WORK PERFORMED BY MCDOT TO BENEFIT DEFENDANTS UNDER THE ESTRELLA PARKWAY

Motion was made by Supervisor Kunasek, seconded by Supervisor Wilson, and unanimously carried (3-0-2) to approve the Memorandum of Understanding (MOU) whereby the County agrees to accept a cash deposit by the Defendants in the amount of \$50,000 in lieu of a bond or letter of credit securing the same amount. This deposit is to be held in an escrow account by the Maricopa Department of Transportation (MCDOT) and will secure reimbursement of work performed by MCDOT to benefit Defendants under the Estrella Parkway from Yuma Street to McDowell Road, Project 68950. (C64022905)

APPOINTMENT OF DR. KENNETH JOHNSON TO THE MARICOPA HOSPITAL AND HEALTH SYSTEM BOARD

Motion was made by Supervisor Kunasek, seconded by Supervisor Wilson, and unanimously carried (3-0-2) to appoint Dr. Kenneth Johnson to the Maricopa Hospital and Health System Board, as the physician appointee. The term of the appointment shall be from June 27, 2002, through August 31, 2004. (ADM2203) (C02020177)

PUBLIC COMMENT

No citizens came forward to speak at this time. (ADM605)

SUPERVISORS' COMMENTS

Supervisor Kunasek reported that his Chief of Staff, Jim Bloom, is taking a leave of absence to work in a state department-sponsored, overseas program regarding local government administration in Serbia for the next year and wished him luck, saying that he will be missed. (ADM606)

Supervisor Wilson commented that he appreciated the help that Norm Hintz had given him to help in his orientation when he was appointed to the Board earlier this year.

Supervisor Brock saluted the fire fighters who are working to put out the forest fires in northern Arizona. He said that many Maricopa County residents had cabins in that area of the state. He read a notice from the Parks Department implementing an overnight camping ban in all of the County's regional parks due to the dry conditions and possible incidence of fire in the Parks effective July 1, 2002. The ban includes all types of fire in the parks including propane and cigarettes. He said that the ban could be lifted in August or September depending on the monsoon seasonal rainfall.

PLANNING AND ZONING

David Smith left the dais at the end of this portion of the Board meeting. Members, as given above, (Chairman Stapley and Supervisor Wilcox did not return from the press conference.) remained in session. Joy Rich, Director of Planning and Development, Darren Gerard, Principal Planner, and David Benton,

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County Counsel, came forward to present the following Planning and Zoning cases. Votes of the Members will be recorded as follows: (aye-no-absent-abstain).

CONSENT AGENDA DETAIL:

1. **Z2002-022 District 3**
 Applicant: Focus Group
 Location: West of the northwest corner of Anthem Way and Gavilan Peak Parkway (in Anthem)
 Request: Plan of Development for retail shops in the C-2 C.U.P.D. zoning district

COMMISSION ACTION: Commissioner Jayne moved to recommend approval of Z2002-022, subject to the following stipulations "a" through "h". Commissioner Harris seconded the motion, which passed with a unanimous vote of 6-0.

- a. Development of the site shall be in conformance with the site plan consisting of one full-size sheet entitled "Anthem Way Retail Shops" (includes Plan of Development and Elevations) prepared by Arvid Johnson Associates Ltd., dated April 17, 2002 and stamped received April 29, 2002 except as modified by the following stipulations.
- b. Development of the site shall be in conformance with the narrative report entitled "Narrative Report, Anthem Way Retail Shops, Anthem, Arizona", prepared by the Focus Group, consisting of three pages, not dated and stamped received March 4, 2002, except as modified by the following stipulations.
- c. The County's Drainage Regulations require that a drainage clearance must be obtained prior to the issuance of a building permit. A final grading and drainage plan and final drainage report must be submitted for review and approval by the Flood Control District.
- d. Any landscaping in County right-of-way will require a permit from the Maricopa County Department of Transportation.
- e. All outdoor lighting fixtures must comply with Section 2318 of the Maricopa County Zoning Ordinance.
- f. All transformers, back-flow prevention devices, utility boxes and all other utility-related ground equipment shall be painted to complement the development and shall be screened with landscape material where possible.
- g. Major changes to this site plan will require review and approval by the Board of Supervisors, upon recommendation of the Planning and Zoning Commission. Staff of the Planning and Development Department, Project Management Division may administratively approve minor changes.
- h. Any monument signs will require an amendment to the Plan of Development. Such amendment can be approved administratively by the Planning and Development Department. Any wall-mounted signs that comply with the Maricopa County Zoning Ordinance may be allowed without amendment to the Plan of Development.

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Motion was made by Supervisor Kunasek, seconded by Supervisor Wilson, and unanimously carried (3-0-2) to approve Z2002-002 subject to stipulations "a" through "h."

REGULAR AGENDA DETAIL:

- 2. S2002-030 District 4**
Applicant: Standage and Associates Ltd.
Location: Southeast corner of Peak View Road and 247th Avenue (in the north Buckeye/ Surprise area)
Request: Final Plat in the Rural-43 zoning district for Patton Place Estates Unit 2 (a.k.a. Double G Ranches) (approximately 59.5 gross acres)

Joy Rich, Director of Planning and Development, said this would ordinarily be on the consent agenda but a violation of a nearby model-home sales complex which requires a conditional use permit could have an affect in future similar cases. She indicated that this would not affect the Board's decision on this item but Planning wanted it to be noted. There have been no complaints.

Motion was made by Supervisor Wilson, seconded by Supervisor Kunasek, and unanimously carried (3-0-2) to approve this final plat.

- 3. Z2001-167 District 2**
Applicant: QuikTrip Corporation for Alhabtoor L.L.C.
Location: Southeast corner of Ellsworth Road and University Drive (in the east Mesa area)
Request: Rezone from R1-8 to C-2 P.D. with a Plan of Development for a gas station and convenience store, for QuikTrip (3.59 acres)

COMMISSION ACTION: Commissioner Pugmire moved to recommend approval of 2001-167, subject to the following stipulations "a" through "r". Commissioner Jayne seconded the motion, which passed with a unanimous vote of 6-0.

- a. Development and use of the site shall comply with the site plan entitled "Quiktrip #404" consisting of seven full-size sheets, dated March 22, 2002 (including grading cross-sections dated February 12, 2002 and elevations dated April 29, 2002) and stamped received May 1, 2002 except as modified by the following stipulations.
- b. Development and use of the site shall comply with the narrative report entitled "Narrative Report for Quiktrip Project" consisting of 12 pages, dated revised March 25, 2002 and stamped received May 1, 2002 except as modified by the following stipulations.
- c. Dedication of additional rights-of-way to bring the total half-width dedication to 65' for University Drive and 75' for Ellsworth Road shall occur prior to zoning clearance.
- d. Development of the site shall include ultimate improvements on Ellsworth Road and University Drive as coordinated with and required by the Maricopa County Department of Transportation.
- e. Prior to issuance of any permits for development of the site, the applicant/property owner shall obtain the necessary encroachment permits from the Maricopa County Department of Transportation for landscaping or other improvements in the right-of-way.

- f. All outdoor lighting shall conform with the Maricopa County Zoning Ordinance.
- g. Development and use of the site shall comply with requirements for fire hydrant placement and other fire protection measures as deemed necessary by the applicable fire department.
- h. When possible, all transformers, back-flow prevention devices, utility boxes and all other utility-related, ground-mounted equipment shall be painted to complement the development and shall be screened with landscape material where possible.
- i. A continuous parapet shall screen all roof-mounted equipment.
- j. All trees shall be double-staked when installed.
- k. For that portion of the site labeled "concept plan area" on the approved site plan, the applicant shall submit a precise Plan of Development to the Planning and Zoning Commission and Board of Supervisors prior to the issuance of any building permits.
- l. All landscaping with the County right-of-way shall be in compliance with Maricopa County Department of Transportation regulations.
- m. Prior to issuance of a building permit, a signed and recorded pre-annexation agreement or utility service agreement with the City of Mesa shall be submitted.
- n. All wall-mounted signs shall be in compliance with development standards of the C-2 zoning district.
- o. Monument signs shall be limited to a maximum height of 15'.
- p. Major changes to this plan of development (the site plan and narrative report) shall be processed as a revised application in the same manner as the original application, with final determination made by the Board of Supervisors following recommendation by staff and the Planning and Zoning Commission. Minor changes may be administratively approved by staff of the Planning and Development Department.
- q. Non-compliance with the plan of development (the site plan and narrative report) or the conditions of approval will be treated as a violation in accordance with provisions of the Maricopa County Zoning Ordinance.
- r. Noncompliance with the conditions of approval will be treated as a violation in accordance with the Maricopa County Zoning Ordinance.

Joy Rich, Director of Planning and Development, said this application is recommended by the Planning Commission with the stipulations "a" through "r" as printed, however the applicant is having difficulty in negotiating with the City of Mesa and requests an elimination of stipulation "m" requiring a pre-annexation or utility-service agreement with the City. She said she was not able to confer with anyone from Environmental Services to confirm if this would be acceptable to them. Staff recommends approval with the elimination of stipulation "m".

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Jason Morris, representing the applicant, said that a building on this site is already being served by the City of Mesa with an existing service of both water and sewer. He said that in his discussions with the City of Mesa it was understood that this application would continue to use those services. However, under stipulation "m" if Mesa should deny service that would force the applicant back before this Board because of that single stipulation. The applicant plans to continue with the City's services but should the City deny this the applicant wants the option to proceed under a different form of development that would be appropriately based on Maricopa County's standards. For this reason he asked for the deletion of stipulation "m."

Motion was made by Supervisor Kunasek, seconded by Supervisor Wilson, and unanimously carried (3-0-2) to concur with the Planning Commission's recommendation for approval with the exception of the elimination of stipulation "m", thereby including stipulations "a" through "q" ("n" through "r" being renumbered to "m" through "q.")

- 4. TA2002-002** All Districts **CONTINUED**
Applicant: Planning and Zoning Commission Initiative
Request: Amend Section 208 (Fees) and add Section 209 (Additional Regulations) of the Maricopa County Local Additions and Addenda

COMMISSION ACTION: Commissioner Jayne moved to recommend approval of TA2002002. Commissioner Harris seconded the motion, which passed with a unanimous vote of 6-0.

Motion was made by Supervisor Kunasek, seconded by Supervisor Wilson, and unanimously carried (3-0-2) to continue this item to the July 24, 2002, meeting.

MEETING ADJOURNED

There being no further business to come before the Board, the meeting was adjourned.

ATTEST:

Don Stapley, Chairman of the Board

Fran McCarroll, Clerk of the Board